

Benefits for Permanent Residents and Naturalization

WHAT INFORMATION ARE YOU SEEKING? (PLEASE CHOOSE ONE BELOW)

[Information About How a Permanent Resident Can Become a U.S. Citizen and General Naturalization Information](#)

[How to Prove your Status when Applying for a Social Security Card, Drivers License or for a Job, or When you Travel \(how to get travel documents\)](#)

[Renewing or Replacing your Permanent Resident Card, or Removing Conditions from Conditional Residency](#)

[Helping a Relative Become a Permanent Resident](#)

[Information about the USCIS Immigrant Fee](#)

[Changing Your Address with USCIS](#)

[Other Benefits and Services for Permanent Residents - Including Financially Sponsoring Someone Who is Immigrating](#)

[Information about Same-sex Marriage](#)

FAQs related to Permanent Residents:

- [Permanent Residents who work for Foreign Governments or International Organizations in the U.S.](#)

[Read Disclaimer](#)

Services for Permanent Residents and Naturalization

Information about how a permanent resident can become a U.S. citizen

OVERVIEW

The process of applying for U.S. citizenship is known as *naturalization*. In most cases, a person who wants to naturalize must first be a permanent resident. In order to be eligible for naturalization, an individual must first meet certain requirements required by U.S. immigration law. This section provides information to customers about eligibility for naturalization.

What information are you seeking? (Please choose an option below)

- [A general overview of eligibility requirements for naturalization](#)
- [Help to determine if you may be eligible for naturalization.](#)
- [Information about how persons with active duty service in the U.S. Armed Forces during specified periods of hostilities or during peacetime may be able to naturalize.](#)
- [Information about naturalization for military dependents living abroad](#)

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The process of applying for U.S. citizenship is known as ***naturalization***. In order to be eligible for naturalization, you must first meet certain requirements required by U.S. immigration law.

Generally, to be eligible for naturalization you must:

- Be age 18 or older; and
- Be a permanent resident for a certain amount of time (usually 5 years or 3 years, depending on how you obtained status); and
- Be a person of [good moral character](#); and
- Have [basic knowledge of U.S. government](#) (this, too, can be excepted due to physical or mental impairment)
- Have a period of [continuous residence and physical presence](#) in the United States; and
- Be able to [read, write and speak basic English](#). There are exceptions to this rule for someone who at the time of filing:
 - Is 55 years old and has been a permanent resident for at least 15 years; or
 - Is 50 years old and has been a permanent resident for at least 20 years; or
 - Has a physical or mental impairment that makes them unable to fulfill these requirements

Before you apply for naturalization you must reside within the jurisdiction of the USCIS District Office where your naturalization will take place for at least 90 days. To apply for naturalization, file **Form N-400, Application for Naturalization**. Instructions for how to properly file Form N-400 are located at www.uscis.gov/forms/N-400.

For more information on the naturalization process, please see our manual, **M-476, A Guide to Naturalization**.

The **Form N-400** is available at www.USCIS.gov/n-400 and the **M-476** is available at www.USCIS.gov/natzguide. If you have questions after you read the application and/or the manual, please check our website at www.uscis.gov or call the USCIS Customer Service toll-free number at 1-800-375-5283 for more information.

USCIS also offers a website to help you prepare for naturalization. The Citizenship Resource Center has:

- Naturalization eligibility requirements
- Current filing fees and processing times
- English and civics study materials for the citizenship test
- Video and audio resources
- An English and citizenship class locator
- Tips on finding help in your community

You may obtain citizenship preparation information at www.uscis.gov/citizenship.

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Note:

[Access Form N-400](#)

[Determine if you may be eligible for naturalization.](#)

[Additional FAQs about the naturalization process](#)

[Information about some very specific groups of persons who may be eligible for naturalization based on extremely specific circumstances](#)

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Lawful Permanent Resident (LPR) Spouse of a Member of the Armed Forces

Any period of time that the LPR spouse of a member of the Armed Forces is residing (or has resided) abroad counts as residence and physical presence in the United States, if during such time spent abroad, the spouse meets the following conditions if:

- The LPR is the spouse of a member of the Armed Forces; and
- The LPR spouse is authorized to accompany and reside abroad with the member of the Armed Forces pursuant to the member's official orders; and
- The LPR spouse is so accompanying and residing abroad with the member in marital union.

Such an LPR spouse of a member of the Armed Forces may apply for Naturalization abroad and may be able to go through the interview process and oath ceremonies at the U.S. embassies, consulates, and/or U.S. military installations overseas.

Dependent child of a U.S. citizen Member of the Armed Forces

Any period of time the U.S. citizen member of the Armed Forces is residing (or has resided) abroad counts as physical presence in the U.S. for his or her dependent child if the following conditions have been met:

- The child is authorized to accompany and reside abroad with the member of the Armed Forces pursuant to the member's official orders; and
- The child is accompanying and residing abroad with the member; and
- The member of the Armed Forces is residing (and has resided) abroad per official orders.

Such a child may also undergo all naturalization proceedings abroad.

Are you age 18 or older?

- [Yes](#)
- [No](#)

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To apply for naturalization, you must be age 18 or older, unless you are or were a member of the armed forces during a period of armed conflict designated by the President of the United States,

Are you or were you ever a member of the United States Armed Forces?

- [Yes](#)
- [No](#)

Note: To learn more about acquisition of citizenship, please go back to the main page and refer to the Guide titled “Benefits for U.S. Citizens.”

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Are you a permanent resident?

- [Yes](#)
- [No](#)

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Have you been a permanent resident for at least 5 years?

- [Yes](#)
- [No](#)

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Have you been employed for 5 years overseas by a bona fide United States incorporated nonprofit organization that is principally engaged in dissemination of information abroad?

- [Yes](#)
- [No](#)

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Are/Were you a member of the U.S. armed forces on active duty at any time since September 11, 2001?

- [Yes](#)
- [No](#)

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Are you currently married to a U.S. Citizen?

- [Yes](#)
- [No](#)

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Is your U.S. citizen husband/wife **regularly** stationed abroad for more than one year with a United States company, in a ministry, or with the U.S. government?

- [Yes](#)
- [No](#)

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Is your husband/wife employed or affiliated with one of the following entities below?

- the United States Armed Forces;
 - the United States Government;
 - An American institution of research recognized by USCIS or by a public international organization of which the United States is a member by treaty or law;
 - An American company engaged in the development of United States foreign trade and commerce, or its subsidiary;
 - Performing ministerial or priestly functions by a religious denomination with a bona fide organization in the United States; or
 - Employed as a missionary by a religious or interdenominational mission organization with a bona fide organization in the United States.
-
- [Yes](#)
 - [No](#)

Were you married to a U.S. citizen, or were you the child or parent of a U.S. citizen, who died as a result of being on Active Duty Honorable Service in the U.S. Armed Forces?

- [Yes](#)
- [No](#)

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Have you been married to your U.S. citizen spouse for three years?

- [Yes](#)
- [No](#)

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Have you been a permanent resident for at least three years?

- [Yes](#)
- [No](#)

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Generally, you must be a permanent resident before you file for naturalization. There is an exception to this requirement if you are a member of the United States Armed Forces and you have been on active duty at any time since September 11, 2001.

Are/were you a member of the armed forces on active duty at any time since September 11, 2001?

- [Yes](#)
- [No](#)

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The information you have provided indicates that you may not be able to obtain citizenship through the naturalization process at this time. If you believe this information is incorrect, please [go back to the beginning of the qualification tour.](#)

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It appears that you may not be qualified to obtain naturalization at this time. We encourage you to apply once you believe you meet all of the necessary requirements.

Note: [Information about some very specific groups of persons who may be eligible for naturalization based on extremely specific circumstances](#)

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Naturalization Based on Permanent Residence for 5 Years

OVERVIEW

You may be eligible for naturalization after being a permanent resident of the United States for 5 years. Information regarding eligibility and naturalization standards can be found in the *Guide to Naturalization* is located on our web site, under naturalization ([Publication M-476](#)).

[Unit I](#)

5 Year Permanent Resident – In General

[Unit II](#)

5 Year Permanent Resident - Employed for Five Years by United States Organization Engaged in Disseminating Information

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Have you already resided within the jurisdictional area of the USCIS District Office where your naturalization will take place for at least 90 days?

- [Yes](#)
- [No](#)

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You have indicated that you have not resided for at least 90 days within the new jurisdiction area where the USCIS office processes your application for naturalization. It appears that you have not met the residency requirement. We invite you to consider naturalization when you have met the residence requirement.

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It appears that you may wish to file the [Form N-400](#) at this time. Let's quickly re-visit what we've covered thus far:

The naturalization eligibility requirements for someone who has been a permanent resident for at least 5-years, in general, are

- You must be at least 18 years of age when you apply; and
- When you apply you must already be a permanent resident, and have been one for at least the past 5 years;

In addition:

- During those last 5 years, you must have [continuously resided](#) in the United States.
- You must have been [physically present](#) in the United States for 30 months out of the 5 years. (Subtract all of your absences during your 5 years as a permanent resident to find out how long you have been physically present in the United States.); and
- You must be a person of [good moral character](#); and
- You must have the required [knowledge of Civics and English](#); and
- You must [support the Constitution of the United States](#) and willing to take an oath of allegiance.

Note: Any change of address must be reported to USCIS within ten days. Failure to report a move to a new address in a timely manner may delay the processing of your application

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Naturalization eligibility requirements if a person has been a permanent resident for five years and has been continuously employed for 5 years by United States organizations engaged in disseminating information.

To be eligible for naturalization as a permanent resident that has been continuously employed by a U.S. organization engaged in disseminating information for at least five years, you must:

- Establish that you are employed by a bona fide United States incorporated nonprofit organization which is principally engaged in dissemination of information abroad which significantly promotes United States interests abroad and which is recognized as such by the Attorney General; and
- Establish that you have been employed continuously with such organization for a period of not less than five years after a lawful admission of permanent residence; and
- File your application for naturalization while employed or within six months following the termination of such employment;

In addition, you must:

- Be present in the United States at the time of naturalization; and
- Declare in good faith, upon naturalization before USCIS, an intention to take up residence within the United States immediately following your termination of employment; and
- Be a person of [good moral character](#);
- Have the required [knowledge of Civics and English](#); and
- [Support the Constitution of the United States](#), and favorably disposed toward the good order and happiness of the United States.

Note:

Permanent residents who are working overseas for the following organizations are not required to meet physical presence in the U.S. and/or the 90 days residency in the state or district they will be naturalizing.

- Free Europe, Inc.; formerly Free Europe Committee, Inc.; National Committee for a Free Europe (including Radio Free Europe)).
- Radio Liberty Committee, Inc. (formerly American Committee for Liberation, Inc.; American Committee for Liberation of the Peoples of Russia, Inc.; American Committee for Liberation from Bolshevism, Inc.)

Have you resided within the jurisdictional area of the USCIS District Office where your naturalization will take place for at least 90 days?

- [Yes](#)
- [No](#)

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It appears that you may wish to file the Form N-400 at this time. Let's quickly re-visit what we've covered thus far

You may be able to apply for naturalization after being a permanent resident of the United States for 3 years, instead of the standard 5 years as a permanent resident if you are married to a United States citizen, and:

- You are over 18; and
- You have been married to your U.S. citizen spouse for the last 3 years; and
- Your spouse has been a United States citizen for the last 3 years; and
- The two of you have been continuously living in marital union for those 3 years and are still living in marital union.

In addition:

- During the last 3 years, you must have [continuously resided](#) in the United States.
- You must have been [physically present](#) in the United States for 18 months out of the 3 years. (Subtract all of your absences during your 3 years as a permanent resident to find out how long you have been physically present in the United States.); and
- You must be a person of [good moral character](#); and
- You must have the required [knowledge of Civics and English](#); and
- You must [support the Constitution of the United States](#) and willing to take an oath of allegiance.

Note: Any change of address must be reported to USCIS within ten days. Failure to report a move to a new address in a timely manner may delay the processing of your application

OTHER FAQs Related to Accelerated Naturalization Based on Marriage to a U.S. Citizen

- [What evidence do I need to qualify for accelerated naturalization eligibility?](#)
- [What if I qualify to apply because I am married to, and living with, a United States citizen, but while my application is pending, we separate or divorce?](#)

What evidence do I need to qualify for accelerated naturalization eligibility?

File your Form N-400 application and include the following evidences to show that you qualify under this accelerated eligibility program:

- Current marriage certificate ; and
- Evidence that your spouse is a United States citizen and has been one for at least the last 3 years; and
- Evidence the two of you have been living in marital union for the past 3 years and still live in marital union; and
- If you did not become a permanent resident based on this marriage and either of you was married before, evidence of the legal termination of all prior marriages;

Any other required evidences indicated on the Form N-400

What if I qualify to apply because I am married to, and living with, a United States citizen, but while my application is pending, we divorce?

If you and your spouse divorce, you will no longer be eligible to naturalize under the accelerated eligibility program that requires that you be married to, and living with, a United States citizen spouse. You must notify the office where your application is pending if you and your spouse divorce while your application is pending.

However, you may still be eligible to apply for naturalization after you have been a permanent resident for five years.

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Naturalization for a Permanent Resident Whose U.S. Citizen Spouse is Employed Abroad

- [What are the naturalization eligibility requirements for a permanent resident that has been married to a U.S. citizen and that U.S. citizen is regularly stationed abroad?](#)
- [What evidence do I need to qualify for accelerated naturalization eligibility?](#)

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What are the naturalization eligibility requirements for a permanent resident who has been married to a U.S. citizen and that U.S. citizen is stationed abroad?

You can apply for naturalization without any prior length of time as a permanent resident if you are currently a permanent resident who is over the age of 18 and whose U.S. citizen spouse is **regularly** stationed abroad. ***Your intention must be to join your spouse abroad to live with him or her 30 to 45 days after you are naturalized.*** Your intention must also include taking up residence within the United States immediately upon the termination of your U.S. citizen spouse's employment abroad.

In order to be eligible, your United States citizen spouse would be considered as regularly stationed abroad in any of the following kinds of employment:

- As a member of the United States Armed Forces;
- As an employee of the United States Government;
- As an employee of an American institution of research recognized by USCIS or by a public international organization of which the United States is a member by treaty or law;
- As an employee of an American company engaged in the development of United States foreign trade and commerce, or its subsidiary;
- Performing ministerial or priestly functions by a religious denomination with a bona fide organization in the United States; or
- Employed as a missionary by a religious or interdenominational mission organization with a bona fide organization in the United States;

In addition you must establish that:

- You are a person of [good moral character](#); and
- You have the required [knowledge of Civics and English](#); and
- You [support the Constitution of the United States](#) and are willing to take an oath of allegiance.

What evidence do I need to qualify for accelerated naturalization eligibility?

File your Form N-400 application and include the following evidences to show that you qualify under this accelerated eligibility program:

- Current marriage certificate ; and
- Evidence that your spouse is a United States citizen
- Evidence that your U.S. citizen spouse is regularly employed and stationed abroad; and
- If you did not become a permanent resident based on this marriage and either of you was married before, evidence of the legal termination of all prior marriages;
- Any other required evidence indicated on the Form N-400.

Note: You must be in the United States at the time of your naturalization, and you must prove that you intend to take up residence in the United States after the overseas employment of your spouse ends.

Permanent Resident Surviving Spouse, Child or Parent of U.S. Citizen who Died During a Period of Active Duty Honorable Service in the U.S. Armed Forces

First, let us take this opportunity to express our condolences and to also thank you and your family for the supreme sacrifice made by your U.S. citizen family member.

Because you were the spouse, child or parent of a U.S. citizen who died while serving his/her country on honorable active duty in the United States military in a time of conflict, you can apply for naturalization if you are a permanent resident without any specific required length of time as a permanent resident. You must, however, meet certain other requirements, including:

- You are at least 18 years of age; and
- You (if filing as a surviving spouse) were living in marital union with your U.S. citizen spouse at the time of his or her death; and
- You must be a person of [good moral character](#); and
- You must have the required [knowledge of Civics and English](#); and
- You must [support the Constitution of the United States](#) and willing to take an oath of allegiance.

You may file Form N-400 application attaching evidence showing that you qualify under the accelerated eligibility program

If you have specific questions relating to your N-400 application, please call our Military Helpline at 1-877-CIS-4MIL (1-877-247-4645) and listen to the menu of services available to assist U.S. Armed Forces members and their families. N-400 live assistance is available between 8 a.m. and 4:30 p.m. CST.

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Are you currently on active duty in the U.S. military?

- [Yes](#)
- [No](#)

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Did you honorably serve in an active-duty status in the United States Armed Forces during any one of the following “periods of military hostilities”?

- World War I (April 6, 1917 – November 11, 1918); or
- World War II (September 1, 1939 – December 31, 1946); or
- Korea (June 25, 1950 – July 1, 1955); or
- Vietnam (February 28, 1961 – October 15, 1978); or
- The Persian Gulf (August 2, 1990 – April 11, 1991), or
- Overseas Contingency Operation, also known as the War on Terrorism (September 11, 2001 – Present);

- [Yes, I served in one of the periods listed above](#)
- [No, I did not serve in one of the periods listed above](#)

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Members of the U.S. Armed Forces or those already discharged from service, whose service was performed in peacetime, may qualify for naturalization if he or she has:

- Served honorably for at least one year;
- Obtained lawful permanent resident status; and
- Filed an application while still in the service or within six months of separation.

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At the time of your induction or enlistment into the U.S. Armed Forces, were you in the United States, the Canal Zone, American Samoa or Swains Island?

- [Yes](#)
- [No](#)

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At the time of your induction or enlistment into the U.S. Armed Forces, were you in the United States, the Canal Zone, American Samoa or Swains Island?

- [Yes](#)
- [No](#)

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Because, at the time of your induction or enlistment, you were in the United States, the Canal Zone, American Samoa or Swains Island; you can apply for naturalization **without any prior length of time as a permanent resident.**

In addition to the previous qualifications, you must:

- Be a person of [good moral character](#); and
- Have the required [knowledge of Civics and English](#); and
- [Support the Constitution of the United States](#) and willing to take an oath of allegiance.

As of October 1, 2004, you can apply for naturalization at a U.S. Consulate or Embassy abroad. The entire process may be done at the Consulate/Embassy, including any interview or swearing in ceremony. In addition, there will be no fee for the application for you.

You will need the Forms N-400 and N-426 with your DD Form 214 or NGB Form 22 to apply. Please note that USCIS will make every effort to expedite the naturalization process for active members of the U.S. military.

If you have specific questions relating to your N-400 application, please call our Military Helpline at 1-877-CIS-4MIL (1-877-247-4645) and listen to the menu of services available to assist U.S. Armed Forces members and their families. If you are a military member deployed overseas, access your Defense Switched Network (DSN) Domestic Base Operator for assistance. N-400 live assistance is available between 8 a.m. and 4:30 p.m. CST.

We also have a brochure, [the M-599](#), which explains the naturalization process for active members of the military.

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Because you are already a lawful permanent resident of the United States, you can apply for naturalization even though, at the time of your induction or enlistment, you were not in the United States, the Canal Zone, American Samoa or Swains Island.

In addition to the previous qualifications, you must:

- Be a person of [good moral character](#); and
- Have the required [knowledge of Civics and English](#); and
- [Support the Constitution of the United States](#) and willing to take an oath of allegiance.

You can apply for naturalization at a U.S. Consulate or Embassy abroad. The entire process may be done at the Consulate/Embassy, including any interview or swearing in ceremony. In addition, there will be no fee for the application for you.

You will need the Forms N-400 and N-426 with your DD Form 214 or NGB Form 22 to apply. Please note that USCIS will make every effort to expedite the naturalization process for active members of the U.S. military.

If you have specific questions relating to your N-400 application, please call our Military Helpline at 1-877-CIS-4MIL (1-877-247-4645) and listen to the menu of services available to assist U.S. Armed Forces members and their families. If you are a military member deployed overseas, access your Defense Switched Network (DSN) Domestic Base Operator for assistance. N-400 live assistance is available between 8 a.m. and 4:30 p.m. CST.

We also have a brochure, [the M-599](#), which explains the naturalization process for active members of the military.

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Because at the time of your induction or enlistment you were not in the United States, the Canal Zone, American Samoa or Swains Island, you must be a permanent resident before applying for naturalization.

Are you already a lawful permanent resident of the United States?

- [Yes](#)
- [No](#)

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Because at the time of your induction or enlistment you were not in the United States, the Canal Zone, American Samoa or Swains Island, you must be a permanent resident before applying for naturalization.

Are you already a lawful permanent resident of the United States?

- [Yes](#)
- [No](#)

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Because at the time of your induction or enlistment you were in the United States, the Canal Zone, American Samoa or Swains Island, you can apply for naturalization **without any prior length of time as a permanent resident.**

In addition to the previous qualifications, you must:

- Be a person of [good moral character](#); and
- Have the required [knowledge of Civics and English](#); and
- [Support the Constitution of the United States](#) and willing to take an oath of allegiance.

You will need the Forms N-400 and uncertified N-426 with your DD Form 214 or NGB Form 22 to apply. Please note that USCIS will make every effort to expedite the naturalization process for active members of the U.S. military if all the following conditions are met:

- The applicant is separated from the Armed Forces at the time of filing Form N-400;
- The applicant submitted a completed but uncertified Form N-426;
- The applicant submitted a photocopy of his or her DD Form 214 (or photocopies of multiple DD Form 214s) or NGB Form 22 for all periods of service captured on Form N-426; and
- The DD Form 214 lists information on the type of separation and character of service (such information is found on page "Member-4").

If you have specific questions relating to your N-400 application, please call our Military Helpline at 1-877-CIS-4MIL (1-877-247-4645) and listen to the menu of services available to assist U.S. Armed Forces members and their families. N-400 live assistance is available between 8 a.m. and 4:30 p.m. CST.

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Because you are already a lawful permanent resident of the United States, you can apply for naturalization even though, at the time of your induction or enlistment, you were not in the United States, the Canal Zone, American Samoa or Swains Island.

In addition to the previous qualifications, you must:

- Be a person of [good moral character](#); and
- Have the required [knowledge of Civics and English](#); and
- [Support the Constitution of the United States](#) and willing to take an oath of allegiance.

You will need the Forms N-400 and N-426 with your DD Form 214 or NGB Form 22 to apply. Please note that USCIS will make every effort to expedite the naturalization process for active members of the U.S. military if all the following conditions are met::

- The applicant is separated from the Armed Forces at the time of filing Form N-400;
- The applicant submitted a completed but uncertified Form N-426;
- The applicant submitted a photocopy of his or her DD Form 214 (or photocopies of multiple DD Form 214s) for all periods of service captured on Form N-426 with your DD Form 214 or NGB Form 22; and
- The DD Form 214 lists information on the type of separation and character of service (such information is found on page “Member-4”).

If you have specific questions relating to your N-400 application, please call our Military Helpline at 1-877-CIS-4MIL (1-877-247-4645) and listen to the menu of services available to assist U.S. Armed Forces members and their families. N-400 live assistance is available between 8 a.m. and 4:30 p.m. CST.

These specific groups of persons may also be eligible to naturalize:

- [Member of the Armed Forces Killed in Action](#) (Posthumous Naturalization)
- [Permanent Resident Seamen](#)
- [Nationals of the United States who want to Naturalize](#)
- [Naturalization after Loss of Citizenship](#)

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OVERVIEW

Posthumous citizenship can be administered to a person who honorably served in an active-duty status in the United States Armed Forces and died as a direct result of that service during a period of military hostilities.

Applications for posthumous citizenship must be filed within two years of the death.

Who Can Apply for Posthumous Citizenship on behalf of someone who dies while serving on active duty during a period of hostility?

Only one person who is either the ***next-of-kin*** or another [representative of the decedent](#) may apply for posthumous citizenship on the decedent's behalf. The next of kin or representative will file a Form N-644.

Next-of Kin

Next-of-kin means the closest surviving blood or legal relative of the decedent in the following order of succession:

- (1) The Spouse;
- (2) The Father/Mother;
- (3) The Son/Daughter;
- (4) The Brother/Sister, if none of the persons described above survive the decedent.

A person who is a next-of-kin who wishes to apply for posthumous citizenship on behalf of the decedent, if there is a surviving next-of-kin in the line of succession above him or her, is required to obtain authorization to make the application from all surviving next-of-kin in the line of succession above him or her.

The authorization shall be in the form of an affidavit stating that the affiant authorizes the requester to apply for posthumous citizenship on behalf of the decedent. The affidavit must include the name and address of the affiant, and the relationship of the affiant to the decedent.

If you have specific questions relating to Posthumous Naturalization, please call our Military Helpline at 1-877-CIS-4MIL (1-877-247-4645) and listen to the menu of services available to assist U.S. Armed Forces members and their families. Posthumous Naturalization live assistance is available between 8 a.m. and 4:30 p.m. PST.

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Representative of Decedent

When there is a surviving next-of-kin, an application for posthumous citizenship shall only be accepted from a representative provided authorization has been obtained from all surviving next-of-kin. However, this requirement shall not apply to the executor or administrator of the decedent's estate. In the case of a service organization acting as a representative, authorization must also have been obtained from any appointed representative. A veteran's service organization must submit evidence of recognition by the Department of Veterans Affairs.

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A seaman is a person who is a lawful permanent resident, who has served honorably or with good conduct, in any capacity other than as a member of the Armed Forces of the United States,

- A) On board a vessel operated by the United States, or an agency thereof, the full legal and equitable title to which is in the United States; or
- B) On board a vessel whose home port is in the United States, and
 - (i) Which is registered under the laws of the United States, or
 - (ii) The full legal and equitable title to which belongs to a citizen of the United States, or a corporation organized under the laws of any of the several States of the United States,

You can apply for naturalization as a seaman if you:

- Are age 18 or over; and
- Are a permanent resident; and
- Have served honorably or with good conduct in any capacity other than as a member of the Armed Forces of the United States while a permanent resident on board a vessel operated by the United States or a vessel whose home port is the United States as described above; and
 - Such service occurred within five years immediately preceding the date you file an application for naturalization.

In addition, you must:

- Be a person of good moral character; and
- Have the required knowledge of Civics and English; and
- Support the Constitution of the United States and willing to take an oath of allegiance.
- Attach all required evidences including evidence of service on board,

If you meet the other qualifications herein, you do **NOT** need physical presence or residence in the United States

A naturalization applicant who is a national of the United States is eligible to file for naturalization if:

- The applicant becomes a resident of any U.S. state; and
- Are at least 18 years of age; and
- Must be a person of [good moral character](#); and
- Must have the required [knowledge of Civics and English](#); and
- Must [support in the Constitution of the United States](#) and be willing to take an oath of allegiance.
- Meet the Continuous residence requirement ; and
- Have resided 3 months in a State or Service district where the naturalization will take place to meet physical presence requirement.
- Provide any required evidences as indicated on the Form N-400.

For U.S. nationals, residence and physical presence in an outlying possession of the United States will count as residence and physical presence in the United States.

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In what instances can a person who lost their U.S. citizenship be able to regain their U.S. citizenship?

The following persons who were U.S. citizens and lost their citizenship may be able to apply to regain citizenship if they:

- During World War II and while a citizen of the United States, served in the military, air, or naval forces of any country at war with a country with the United States, or
- Prior to September 22, 1922, lost United States citizenship by marriage to an alien, or by the loss of United States citizenship of such person's spouse, or (2) on or after September 22, 1922, lost United States citizenship by marriage to an alien ineligible for citizenship.

Note: For more information about these naturalization eligibilities, please review the information in the Immigration and Nationality Act, Parts 324 and 327, which may be found on the Internet. If you need more assistance regarding these eligibilities, please call USCIS toll free at 1-800-375-5283.

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General Naturalization Requirements

With few exceptions, an applicant for naturalization must be a permanent resident of the United States for a certain number of years before applying for naturalization. Also with few exceptions, an applicant for naturalization is required to both continuously reside and be physically present in the United States for a specific amount of time.

For example, most people who apply for naturalization have already been a permanent resident for 5 years. They must also have continuously resided in the United States during the entire 5-year period and have been physically present in the United States for half of the 5-year period (2.5 years). However, an example of an applicant who does not need [continuous residence or physical presence](#) is someone who is serving in the U.S. Armed Forces abroad during a qualifying period of hostilities.

In most cases, after you apply for naturalization, you must reside continuously in the United States until your application is granted and you are naturalized.

To be eligible for naturalization you must be a person of [good moral character](#), have [knowledge of Civics and English](#) and [support the Constitution of the United States](#).

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FAQs about 'Physical Presence' and 'Continuous Residence' for Purposes of Naturalization

- [Are 'physical presence' and 'continuous residence' the same thing?](#)
- [Absence less than 6 months](#)
- [Absence 6 months to 1 year](#)
- [Absence longer than 1 year](#)
- [If I am in the United States part of a day, does that day count as being here or being absent?](#)
- [If I am a commuter resident, am I eligible to apply for naturalization?](#)
- [Does an absence that interrupts continuous residence mean I have to start over to accrue the necessary residence?](#)
- [Are there any exceptions that change the effect of absences from the United States?](#)
- [What is the difference between applying to preserve residence for naturalization and a reentry permit?](#)
- [How do I apply to preserve my residence?](#)
- [Does my husband/wife and/or children have to file separate applications?](#)
- [When can I file an N-470?](#)
- [Do I have to be in the United States when I file my N-470 application?](#)
- [How will my N-470 application be processed?](#)
- [What does approval of an N-470 mean?](#)

Are 'physical presence' and 'continuous residence' the same thing?

Physical Presence

The total number of days you have been physically in the United States is considered 'physical presence'. (Adding the number of days you are outside of the United States and subtracting them from the required days you need to be a permanent resident will calculate your 'physical presence').

Continuous Residence

The length of each trip you take may be very relevant to deciding whether your residence has been continuous. An absence from the United States can be long enough to interrupt your accrual of time for continuous residence. If that happens, you must start the process over again once you return to the United States. You must accrue the necessary number of days for continuous residence in the United States in order to be able to apply for naturalization. (For example, a trip in which you are absent from the United States for more than 6 months can affect your continuous residence). Absence from the United States of more than six months but less than one year during the period for which continuous residence is required for admission to citizenship, ***immediately preceding the date of filing the application*** for naturalization, ***or during the period between the date of filing the application and the date of any hearing***, shall break the continuity of residence, unless the applicant can establish that he/she did not in fact abandon his/her residence in the United States during such period.

Absence less than 6 months

An absence of less than 6 months does not affect the continuity of residence.

Absence 6 months to 1 year

An absence of this length normally breaks continuous residence. However, you may be able to prove that it did not interrupt the continuity of your residence if you include the required information with your N-400, Application for Naturalization.

Examples of factors that can demonstrate continuous residence, even though you have had an absence of up to 1 year, may include:

- Your employment in the United States was not terminated while you were abroad or that you did not work while abroad; or
- Your immediate family remained in the United States; or
- You kept full access of your house or apartment in the United States the entire time you were out of the country.

Absence longer than 1 year

Any absence from the United States for more than one year breaks continuous residence. However, under certain conditions and circumstances, you may be eligible to preserve the continuity of your residence for naturalization purposes by filing a [Form N-470](#).

If I am in the United States part of a day, does that day count as being here or being absent?

If you are in the United States for part of a day, the day counts as time in the United States.

If I am a commuter resident am I eligible to apply for naturalization?

No. A commuter lawful permanent resident may not apply for naturalization until he or she has actually taken up permanent residence in the United States and until such residence has continued for the required statutory period. Once you have taken up residence in the United States, you can apply for the issuance of a new permanent resident card that does not indicate you are a commuter by filing the Form I-90.

Does an absence that interrupts continuous residence mean I have to start over to accrue the necessary residence?

After an absence that interrupts continuous residence, you must accrue length of time for continuous residence:

- A naturalization applicant who must have 5 years continuous residence before he/she is eligible to file, is required to accrue 4 years and 1 day of continuous residence after returning to the United States from an interruptive absence; **and**
- A naturalization applicant who must have 3 years of continuous residence before filing is required to accrue 2 years and one day of continuous residence after returning to the United States from an interruptive absence.

Are there any exceptions that change the effect of absences from the United States?

The special circumstances where absences do not have effect on continuous residence and physical presence is accomplished by filing a **Form N-470, *Application to Preserve Residence for Naturalization Purposes*** and:

- [Serving in the United States Armed Forces](#)
- [Employed or under contract to the United States Government](#)
- [Employed by a United States nonprofit corporation principally engaged in disseminating information abroad that significantly promotes United States interests and is so recognized by CIS](#)
- [Serving on a United States vessel](#)
- [A United States national](#)
- [Serving solely as a minister, priest, or as a missionary, brother, nun or sister, for a religious or international denomination with a valid presence in the United States](#)
- [Employed by an American company engaged in the development of United States foreign trade and commerce, or by its subsidiary](#)
- [Employed by an American research institution recognized as such by USCIS](#)
- [Employed by a public international organization of which the United States is a member by treaty or statute](#)

Serving in the United States Armed Forces

Any time served in the United States Armed Forces automatically counts towards your continuous residence and physical presence. You do not need to file a separate application, just submit evidence of your military service with your naturalization application.

Employed or under contract to the United States Government

If you file to preserve your residence requirements for naturalization purposes, and your application is approved, then time spent abroad as a U.S. Government employee, or under a U.S. Government contract, counts towards your continuous residence and physical presence requirements.

Employed by a United States nonprofit corporation principally engaged in disseminating information abroad that significantly promoted United States interests and is so recognized by USCIS

You are exempt from the continuous residence and physical presence requirements if:

- You have been an employee of the corporation for at least 5 years since you became a permanent resident, and
- You apply for naturalization while still an employee or within 6 months of the end of this employment.

You do not need to file a separate application. Just submit evidence with your naturalization application.

Serving on a United States vessel

Time after you became a permanent resident spent serving on a vessel operated by the U.S or on a vessel registered in the United States automatically counts towards your continuous residence and physical presence if your service occurred within the 5 years before you apply for naturalization. You do not need to apply to file a separate application. Just submit evidence your time qualifies with your naturalization application.

A United States national

After you have the required 3-month residence in a State of the United States, the time you spend in outlying United States possessions automatically counts towards your continuous residence and physical presence. You do not need to file a separate application. Please submit evidence showing that you meet the residence requirement.

Serving solely as a minister, priest, or as a missionary, brother, nun or sister, for a religious or international denomination with a valid presence in the United States

If you file to preserve your residence for naturalization purposes and your application is approved, then time working solely in such a religious capacity since you became a permanent resident counts towards your continuous residence and physical presence.

Employed by an American company engaged in the development of United States foreign trade and commerce, or by its subsidiary

If you file to preserve your residence for naturalization purposes and your application is approved, then absences while so employed will not interrupt your continuous residence, but it will not count towards your physical presence.

Employed by an American research institution recognized as such by USCIS

If you file to preserve your residence for naturalization purposes and your application is approved, then time while so employed will not interrupt your continuous residence, but will not count towards your physical presence.

Employed by a public international organization of which the United States is a member by treaty or statute

If you were not employed by a public international organization until after you became a permanent resident and you file to preserve your residence for naturalization purposes, and your application is approved, the time while so employed will not interrupt your continuous residence, but will not count towards your physical presence.

What is the difference between applying to preserve residence for naturalization and a reentry permit?

A reentry permit simply serves as a travel document and allows you to reenter the United States without obtaining a returning resident visa. It does not preserve residence for the purpose of naturalization.

How do I apply to preserve my residence?

If you need to apply to preserve your residence, file [Form N-470](#), "Application to Preserve Residence for Naturalization Purposes".

- This application is separate from the application for naturalization.

Follow the instructions on your application. You will need the following:

- Your N-470 application completely filled out and signed
- A check or money order for the total filing fee attached to the front of the Form N-470
- If you are represented by an attorney, then include:
- A signed Form G-28 'Notice of Entry of Appearance as Attorney or Representative'.
- A copy of the front and back of your Permanent Resident Card
- Evidence for the basis of your eligibility

Does my husband/wife and/or children have to file separate applications?

No. The person who is personally and directly eligible for the benefit can file the [Form N-470](#). The name of dependants that will live abroad with the principal applicant must be

When can I file an N-470?

You must have lived in the United States as a permanent resident for one uninterrupted year before you file an N-470. You can apply before you leave the United States, or at any time up until you have been outside the United States for a year.

- If, after you have lived in the United States for one uninterrupted year as a permanent resident, you will be absent from the United States to work performing ministerial or priestly functions, you can file your application any time, either before you leave, while abroad, or after your return to the United States.
- For any other person, after you have lived in the United States for one uninterrupted year as a permanent resident, you can file your application. But if you leave the United States before you file your N-470, you must file it before you have been outside the United States for one year. An application filed after you have been abroad for a year cannot be approved.

Do I have to be in the United States when I file my N-470 application?

No. You can apply before you leave the United States or at any time up until you have been outside the United States for one year.

- For those performing ministerial or priestly functions, you can file at any time.

How will my N-470 application be processed?

USCIS will notify you of the decision.

If your application is approved, an approval notice will be mailed to your United States address. Included dependents will be listed on the approval notice.

What does approval of an N-470 mean?

It means that, based on the facts presented, your absence will not be considered to interrupt your continuous residence for the purpose of naturalization.

However, if circumstances change, such as you are no longer employed as indicated in your original application, when you file your N-400 application for naturalization it could still be determined that you do not have the necessary continuous residence.

If you file a tax return as a non-resident alien, this would create a presumption that you have abandoned your permanent residence even if you have an approved N-470.

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Good Moral Character

To be eligible for naturalization, you must prove you are a person of good moral character. Good moral character is evaluated on a case-by-case basis on the standards of the average citizen in the community. No one thing proves good moral character, but certain actions make it impossible for you to show that you are of good moral character.

General FAQs

- [What kinds of things permanently bar a finding of good moral character?](#)
- [Are there other things that temporarily bar a finding of good moral character?](#)
- [What kinds of things do I have to reveal in my application?](#)
- [If I have ever committed a crime, or been arrested or detained, what should I include with my application?](#)
- [What if my arrest or conviction was vacated, set aside, sealed, expunged, or was otherwise removed from my record?](#)
- [Will USCIS do its own checks to see if I have any criminal convictions or arrests?](#)
- [What happens if I have a criminal record?](#)

What kinds of things permanently bar a finding of good moral character?

The following situations would permanently bar a finding of good moral character:

- A conviction for murder;
- Any aggravated felony conviction on or after November 29, 1990.

In addition, the law separately and permanently bars a person from being eligible to naturalize who has ever:

- Deserted from the United States Armed Forces, left the United States to avoid the draft, or who applied for an exemption or discharge because they were not a United States citizen.

Are there other things that temporarily bar a finding of good moral character?

An application cannot be approved while an applicant is on probation, parole or a suspended sentence.

You cannot establish good moral character if during the last 5 years (last 3 years if applying under an accelerated eligibility program based on your marriage to a United States citizen):

- You were convicted of two or more crimes for which the total sentence was 5 years or more;
- You were imprisoned for 180 days or more as a result of a conviction;
- You committed and were convicted of any offense relating to a controlled substance;
- You committed and were convicted of a crime involving moral turpitude (for example – theft, fraud, assault with a deadly weapon), unless it was a petty offense;
- You helped or tried to help anyone enter the United States illegally, or lied to gain any immigration benefit;
- You practiced polygamy (being married to more than 1 person at the same time);
- You were a habitual drunkard;
- You derived your income principally from illegal gambling, or you committed or were convicted of two or more gambling offenses; or
- You engaged in prostitution.

In addition, since good moral character involves a review of a broad variety of circumstances, it usually cannot be concluded that you have the necessary good moral character if during the last 5 years (last 3 years if applying under an accelerated eligibility program based on your marriage to a United States citizen):

- You failed to pay federal, state or local taxes or fines;
- You failed to pay court-ordered child support or alimony; or
- You were convicted of drunk driving.
- We can also determine that you are not a person of good moral character if you have committed or been convicted of other bad acts that don't otherwise preclude you from establishing good moral character.

What kinds of things do I have to reveal in my application?

The most important thing is to be completely honest.

- Except for minor traffic offenses that did not result in your arrest (and drunk driving is not considered a minor traffic offense), you should always reveal any arrest, whether or not charged, and any conviction, and whether or not the conviction has been expunged, sealed or vacated.
- If you committed a crime but were not arrested for it, you must still reveal it.
- Even if you have committed what you believe to be a minor crime, you should reveal it on your application because USCIS may deny your application if in it you do not tell us about an incident that is significant and material to your eligibility.
- You must reveal facts and actions even if a lawyer, judge or other person has said that you have no record and do not have to disclose the incidents

If I have ever committed a crime, or been arrested or detained, what should I include with my application?

Except for simple traffic violations, (and drunk driving is not a simple traffic violation), you must include with your application:

- For each arrest in which no charges were filed, include an official statement from the arresting agency or the applicable court indicating that no charges were filed;
- For each charge, conviction, alternative sentencing or rehabilitative program placement, include:
- An original or certified copy of the complete court disposition (dismissal order, conviction record or acquittal order), and
- Evidence you have completed every sentence (such as an original or certified copy of a probation record, parole record, or evidence you completed the alternative sentencing program or rehabilitative program).
- If you are not sure whether an incident was an arrest, charge or conviction, attach any police or court records relating to the incident along with your complete explanation, and
- If you have ever committed a crime but not been arrested for it, file your application with a complete explanation and any relevant documents.

Note: A certified court disposition may be obtained from the clerk of the court where the hearing was held. If unable to obtain court records, applicants should request a “statement of unavailability” from the court and obtain police records.

What if my arrest or conviction was vacated, set aside, sealed, expunged, or was otherwise removed from my record?

You must still reveal this in your application, and for each instance include an original or certified copy of the court order.

Note: A certified court disposition may be obtained from the clerk of the court where the hearing was held. If unable to obtain court records, applicants should request a “statement of unavailability” from the court and obtain police records.

Will USCIS do its own checks to see if I have any criminal convictions or arrests?

Yes. USCIS will conduct its own checks, including sending your fingerprints to the FBI to see if you have a criminal record.

- The fact USCIS will conduct its own checks does not lessen your obligation to inform USCIS of your entire criminal record.
- If you have arrests or convictions and you do not submit disposition records with your application, at a minimum it will slow processing of your application. Your failure to disclose them in your application could also lead to denial of your application.

What happens if I have a criminal record?

USCIS will review your case and will make a decision based on the information you provided and information collected from law enforcement data base. The outcome of a decision is based on the circumstances of each case.

[Back to Good Moral Character](#) [Services for Permanent Residents and Naturalization](#)

Knowledge of Civics and English

To be eligible for naturalization, you must pass a citizenship test, which requires a basic Knowledge of Civics, History and government of the United States, and the ability to speak and understand English at a basic level.

Note: Certain applicants for naturalization may not be given the examination to meet the requirements of English and Knowledge of the US Government History if they have fulfilled the requirements as part of obtaining permanent resident status through legalization.

[Are there any circumstances under which I can get a waiver for the Civics and/or English requirements?](#)

[Do I need to notify USCIS that I believe I am qualified for a waiver of the English language requirement?](#)

[Are there any exceptions from testing if I am disabled?](#)

[How do I apply for a disability exception from the citizenship test requirement?](#)

[What does the citizenship test exception cover?](#)

[Is a medical evaluation required for the N-648?](#)

[When should I file Form N-648 and should I submit any additional information?](#)

[How will my N-648 application be processed?](#)

[How can I prepare for the citizenship test?](#)

[How is the citizenship test given?](#)

[Can a family member and/or an interpreter come to the interview to help me?](#)

[What happens if I fail the citizenship test?](#)

[If I fail part of the citizenship test, will I have to retake the entire test?](#)

Are there any circumstances under which I can get a waiver for the Civics and/or English requirements?

You may be able to have the English language requirement waived, if at the time of filing:

- You are at least 50 years old and have lived in the United States as a permanent resident for at least 20 years (50/20); **or**
- You are at least 55 years old and have lived in the United States as a permanent resident for at least 15 years (55/15).

If you fall into one of these categories, you may take the examination(s) in your own native language. However, you will still have to take the full version of the Civics test.

You may be able to have the English language requirement waived **and** you may qualify to take a simplified civics test in your native language if, at the time of filing:

- You are at least 65 years old and have lived in the United States as a permanent resident for at least 20 years (65/20); **or**
- You are a Hmong veteran and you filed your N-400 application for naturalization on or before May 26, 2003; **and**
 - You were admitted to the United States as a refugee from Laos, and you served with a special guerrilla unit, or irregular forces, operating from a base in Laos in support of the United States military at any time between February 28, 1961 and September 18, 1978; or
 - Your husband or wife at the time you were admitted as a refugee had so served; or
 - You are the widow of a person who served during a qualifying period and file your application on or before November 1, 2003.

Do I need to notify USCIS that I believe I am qualified for a waiver of the English language requirement?

No. However, you must meet the requirements for age and time as a Permanent Resident at the time you file your application to qualify for an exception.

Note: Please refer to the age/time requirements in the prior FAQ.

If you qualify for an exception based on age and time as a Permanent Resident, an interpreter who is proficient in English and the language of your choice must accompany you to the interview.

Are there any exceptions to testing if I am disabled?

To be eligible for naturalization, you must demonstrate an understanding of the English language, including an ability to read, write, and speak words in ordinary usage. You must also demonstrate a knowledge and understanding of the fundamentals of the history and principles and form of government of the United States. Together, these are known as the English and civics requirements for naturalization. If you have a physical or developmental disability and/or a mental impairment that makes you unable to pass the English and/or civics test, then you may be eligible for an exception to the test(s). Your disability must have existed for at least 12 months, or be expected to last at least 12 months. The disability and/or mental impairment must not have been caused by illegal drug use.

An applicant who can satisfy the English and civics requirements with reasonable accommodations provided under the Rehabilitation Act of 1973 does not need to submit Form N-648. Reasonable accommodations include, but are not limited to, sign language interpreters, extended time for testing and off-site testing. Illiteracy alone is not a valid reason to seek an exception to the English and civics requirement by submitting this form.

How do I apply for a disability exception to the citizenship test requirement?

To qualify for the disability exception, you should submit Form N-648, Medical Certification for Disability Exception, at the time you file your N-400, Application for Naturalization, with USCIS. You can also submit your Form N-648 at the time of your interview, but it may delay the adjudication of your case.

Prior to submitting Form N-648, you should make sure that a medical doctor, doctor of osteopathy or clinical psychologist licensed to practice in the United States (including Guam, Puerto Rico, Washington, DC, and the Virgin Islands) has completed and certified the form. In addition, you, or a legal guardian, must also sign the form.

If you are requesting a reasonable accommodation, please indicate your accommodation request in Part 3 of your completed Form N-400.

You can find additional detailed information about disability exceptions and reasonable accommodations on our Web site, www.uscis.gov.

What does the citizenship test exception cover?

If you properly submit Form N-648 with USCIS, and the agency determines that you qualify for a disability exception, then you will not need to take the required English and/or civics test for naturalization. Approval of Form N-648 does not exempt you from meeting all other requirements for naturalization.

Is a medical evaluation required for the N-648?

Yes, you must obtain a medical evaluation for completion of Form N-648. Only medical doctors, doctors of osteopathy or clinical psychologists licensed to practice in the United States (including Guam, Puerto Rico, Washington, DC, and the Virgin Islands) are authorized to complete and certify Form N-648. The medical professional must certify that you are unable to demonstrate or fulfill the English and/or civics testing requirements.

When should I submit Form N-648? Should I submit any additional information?

You should submit your Form N-648 with your N-400, Application for Naturalization. You can also submit Form N-648 at the time of your naturalization interview, but it may delay the adjudication of your case.

Prior to submitting Form N-648, you should make sure that a licensed medical doctor, doctor of osteopathy or licensed clinical psychologist completed and certified the form. In addition, you, or a legal guardian, must also sign the form.

If you are represented by an attorney or accredited representative, you will also need to ensure that a signed Form G-28, Notice of Entry of Appearance as Attorney or Representative” is included in your application packet.

How will my N-648 application be processed?

During your naturalization interview, a USCIS Officer will determine your eligibility for an exception based on your properly submitted Form N-648.

How can I prepare for the citizenship test?**How can I prepare for the citizenship test?**

- The citizenship test will test your knowledge of English and civics. English language ability is evaluated through tests for English reading, writing, and speaking. The civics test has questions on U.S. history and government.
- USCIS has a website to help you prepare. The Citizenship Resource Center includes English and civics study materials for the citizenship test; a video on what to expect at the naturalization interview and test; an online self test; and an English and citizenship class locator. Visit www.USCIS.gov/citizenship.
- Many schools and community organizations help people prepare for the citizenship test. Visit www.USCIS.gov/citizenship to find help in your community. From the homepage, select the “Learners” link at the top, next select “Find Help in Your Community.”

How is the citizenship test given?

During your interview, a USCIS Officer will evaluate your English language ability and knowledge of U.S. history and government (civics) through tests.

English Portion of the Test

You must read 1 sentence out of 3 sentences correctly in English, and you must write 1 sentence out of 3 sentences correctly in English. Your ability to speak and understand English is determined during your eligibility interview with a USCIS Officer on Form N-400, Application for Naturalization.

Civics Portion of the Test

There are 100 possible civics (history and government) questions on the naturalization test. The civics test is an oral test and the USCIS Officer will ask you up to 10 of the 100 civics questions. You must answer 6 out of 10 questions correctly to pass the civics portion of the naturalization test.

Study Materials

You will find study materials on the Citizenship Resource Center located at www.USCIS.gov/citizenship. From the homepage, select the “Learners” link at the top, next select “Study for the Test.” Scroll to the bottom of the page for links to the study materials for the English and civics test. When you select the link for the English test, you will find easy-to-use flash cards containing vocabulary words to help study for the English reading and writing portion of the naturalization test. When you select the link for the civics test, you will find study materials for the civics test including the list of 100 questions and answers, Civics Flash Cards, and an online self test. The list of 100 civics questions and answers is available in Spanish, Chinese, Tagalog, and Vietnamese.

Can a family member and/or an interpreter come to the interview to help me?

A family member or interpreter can come with you to your fingerprint appointment or interview if you believe you need assistance.

- However, the decision to permit a family member or interpreter to be with you during your interview will depend on the particular circumstances, and usually can only be made when you appear for your interview.
- No one can assist you in taking the citizenship test.

What happens if I fail the citizenship test?

If you do not pass the citizenship test, you will be given a second opportunity to pass the citizenship test, but this will delay the processing of your case. Your second opportunity to pass the citizenship test is normally within 2 to 3 months. You will be given specific instructions at the interview if you fail the test.

If I fail part of the citizenship test, will I have to retake the entire test?

If you do not pass any part of the citizenship test, you will be given a second opportunity to pass the citizenship test, but this will delay the processing of your case. Your second opportunity to pass the citizenship test is normally within 2 to 3 months. You will be given specific instructions at the interview if you fail the test.

Support of the Constitution of the United States

The process of naturalization allows a person to become a citizen of the United States with all the rights, protections and responsibilities of citizenship. Through naturalization you declare your 'attachment' to the United States and belief in the Constitution when you take the Oath of Allegiance.

General FAQs

- [What is the Oath of Allegiance?](#)
- [Is willingness to take the Oath of Allegiance all that is required to show attachment to the Constitution?](#)
- [What is the Selective Service?](#)
- [Who has to register with the Selective Service?](#)
- [Are there any exceptions for registering for the Selective Service?](#)
- [What if I failed to register with the Selective Service?](#)
- [How do I contact the Selective Service?](#)
- [Can the Oath of Allegiance ever be waived or modified?](#)
- [Do I become a United States citizen when my application is approved or must I wait until I take the Oath of Allegiance?](#)
- [By taking the oath do I give up my current citizenship?](#)

What is the Oath of Allegiance?

The Oath of Allegiance is an oath that every person who is being naturalized must take.

By taking the oath:

- You renounce your allegiance to any other country or sovereign; and
- You declare your allegiance to the United States, to its Constitution, and to the principles of that Constitution, including your willingness to defend the United States by force of arms and perform other work when required by law.

Is willingness to take the Oath of Allegiance all that is required to show attachment to the Constitution?

Willingness to take the Oath of Allegiance is only a part of the determining factors that show an attachment to the United States Constitution and the principles behind it.

Examples of things that would result in a finding that you do not have the required attachment to the Constitution are:

- If you are male and failed to register with the United States Selective Service;
- If, after turning 16 years of age and within the last 10 years, or while your application is pending:
 - You were a member of any communist or totalitarian party anywhere in the world; or
 - You advocated:
 - ❖ The establishment of a communist or totalitarian government in the United States,
 - ❖ The overthrow of the United States government or any government by force,
 - ❖ The duty or necessity of killing officers of the United States or other governments because of their official status, or
 - ❖ Sabotage, or unlawful damage or injury or destruction of property; or
- If you have ever deserted from the United States Armed Forces, left the United States to avoid the draft, or been discharged or applied for an exemption or discharge because you were not a United States citizen.

What is the Selective Service?

The Selective Service System is the Federal agency responsible for providing manpower to the United States Armed Forces in an emergency.

Selective Service registration allows the United States Government to maintain a list of names of men who may be called into military service in case of a national emergency that requires a rapid expansion of the United States Armed Forces. By registering all young men, the Selective Service can ensure that any future draft will be fair and equitable.

Who has to register with the Selective Service?

Every male in the United States who was born after December 3, 1959 is required to register for Selective Service when he turns 18, or when he enters the United States if he enters between the ages of 18 and 26.

- When you apply for naturalization, you must provide your Selective Service number to USCIS – this is the number assigned to you when you registered for the Selective Service.

Are there any exceptions for registering for the Selective Service?

A man does not have to register for Selective Service if he was born before December 4, 1959, or if he did not enter the United States until after he turned 26.

A man who is in the United States as a nonimmigrant is not required to registered for Selective service

What if I failed to register with the Selective Service?

If you failed to register with the Selective Service and are:

- Not yet 26
 - You can complete your registration and receive your registration number from the Selective Service.
 - If you don't register, any application you file for naturalization will be denied.
- Already 26 or older
 - Contact the Selective Service and complete their questionnaire. You will receive a 'status information letter' from Selective Service. Submit this letter and your complete explanation of why you failed to register along with your application for naturalization.
 - Your failure to register usually leads to a finding that you do not meet the good moral character requirement for naturalization unless you can clearly show in your application for naturalization that: Your failure to register was unknowing and not willful, and that you do intend to meet all requirements of the Oath of Allegiance.

How do I contact the Selective Service?

If you are between 18 and 26, you can register for the Selective Service:

- At any United States Post Office; or
- On the Selective Service System website at: www.sss.gov.

To confirm that you are registered, if you can't remember your number or for more information about selective service requirements and procedures:

- Check the Selective Service System's website, or
- Call them at 1-847-688-6888 or call the toll free number at 1-888-655-1825

Can the Oath of Allegiance ever be waived or modified?

Yes. In certain circumstances there can be a modification or waiver of the Oath of Allegiance. These circumstances are as follows:

- If you are unable or unwilling to promise to bear arms or perform noncombatant service because of religious training and belief, you may request to leave out those parts of the oath. USCIS may require you to provide documentation from your religious organization explaining its beliefs and stating that you are a member in good standing.
- If you are unable or unwilling to take the oath with the words "on oath" and "so help me God" included, you must notify USCIS that you wish to take a modified Oath of Allegiance. Applicants are not required to provide any evidence or testimony to support a request for this type of modification. See 8 CFR 337.1(b).
- USCIS can waive the Oath of Allegiance when it is shown that the person's physical or developmental disability, or mental impairments, makes them unable to understand, or to communicate an understanding of, the meaning of the oath. See 8 USC 337.

Do I become a United States citizen when my application is approved or must I wait until I take the Oath of Allegiance?

You will officially become a United States Citizen when you take the Oath of Allegiance.

By taking the oath do I give up my current citizenship?

In taking the Oath of Allegiance, you renounce all allegiance to all foreign states. From the point when you take the oath, the United States considers you to only be a United States citizen.

- Laws in many countries provide that a citizen of that country may automatically lose citizenship if they become a United States citizen through naturalization.
- Other countries do not recognize any voluntary renouncing of citizenship, and will continue to consider you a citizen of that country.

For more information about the laws of a certain country, please contact that country's embassy or consulate.

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- [I sent in my petition to remove conditions of my permanent residence, Form I-751. That was more than one year ago. Since I have been a permanent resident for three years and married to a U.S. citizen for three years, can I file for naturalization even though my I-751 has not been decided?](#)

FAQs about renewing or replacing the Permanent Resident Card

- [The naturalization application is requesting a copy of my Permanent Resident Card. Do I have to renew or replace my Permanent Resident Card if I am applying for naturalization?](#)
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When can I apply for naturalization?

You may be able to apply for naturalization if you are at least 18 years of age and have been a permanent resident of the U.S.:

- For at least 5 years; or
- For at least 3 years during which time you have been, and continue to be, married to and living in marriage with your U.S. citizen husband or wife; or
- Have honorable service in the U.S. military.

Certain spouses of U.S. citizens and members of the military may be able to file for naturalization sooner than noted above previously.

[A self-guided tour to help you determine if naturalization is right for you](#)

Note: [Information about some very specific groups of persons who may be eligible for naturalization based on extremely specific circumstances](#)

How do I apply for naturalization?

To apply for naturalization, file Form N-400, Application for Naturalization.

For more information on the naturalization process, please see our manual, M-476, A Guide to Naturalization.

If you are in the military and are interested in becoming a U.S. citizen, please see our brochure, M-599, Naturalization Information for Military Personnel.

USCIS has educational materials and resources to help you prepare for the citizenship test (English and civics portions). Visit the Citizenship Resource Center at **www.USCIS.gov/citizenship**, to find information on how to find English and citizenship preparation classes in your area, learn about free citizenship information sessions offered by USCIS in your area, and download study materials for the English and civics portions of the citizenship test.

When can I file my N-400 application?

Most applicants wait until they have fulfilled the length of residence, [continuous residence and physical presence](#) requirements before they file.

- You can choose to file your naturalization application 90 days before the end of the required period of continuous residence.
 - If you choose to file early, be sure you meet all the other requirements as of the day you file your naturalization application.

How should I organize my N-400 application?

Follow the instructions on the application and in the Guide to Naturalization (Form M-476) on organizing your application and include the following initial evidence:

- Your N-400 application completely filled out and signed.
- A check or money order for the total filing fee attached to the front of your naturalization application.
- If an attorney or accredited representative represents you, include a signed form G-28, 'Notice of Entry of Appearance as Attorney or Representative'.
- Include 2 identical passport-style photographs taken no more than 30 days before you file your application.
 - Write your name and your USCIS account number, or A#, on the back of each photo in pencil.
- A copy of the front and back of your Permanent Resident Card.
- If you are filing under an accelerated eligibility program, include evidence that you meet all the requirements of that program.
- If you have ever been arrested or detained by a law enforcement officer, or charged with or convicted of any offense except a minor traffic violation, include all the special evidence.
- If you have ever been in the United States Armed Forces, or are applying based on your spouse's military service, include a completed Form N-426, 'Request for Certification of Military or Naval Service'. With your DD Form 214 or NGB Form 22.
- Include copies of every legal change of name since your current card was issued, if applicable.
- If you want to change your name as part of your naturalization, include your signed request, if applicable.
- Include evidence that shows you qualify for uninterrupted continuous residence, if applicable.
- If you have been outside the United States for more than 6 months on any one trip during your eligibility period, include :
 - Your explanation of why you believe the absence(s) should not be considered to interrupt the required continuity of your residence.
- If you have ever been ordered to provide financial support to a dependent spouse or child(ren), include both:
 - Copies of the court or government order to provide financial support, and
 - Evidence you have consistently and timely complied with the requirement.
- Medical disability exemption from the citizenship test, if applicable.
- Failed to file an income tax return, if applicable.
- Overdue Federal, state or local taxes, if applicable.
- Federal tax return as a non-resident, if applicable.
- Registration number for Selective Service, if applicable.

Do I have to be in the United States when I file my N-400 application?

An applicant does not necessarily need to be in the United States when filling an N-400 application. Please refer to M-476, A Guide to Naturalization, for more information about filing from overseas.

Do I need to submit photographs with the N-400?

Yes, you should include two passport-style photographs with your application.

How will I know when I need to get fingerprinted?

Once you have filed an N-400 with USCIS, you will receive a letter from USCIS telling you where and when to have your fingerprints taken. In most cases, the letter will tell you to go to an Application Support Center or a police station.

Take your USCIS fingerprint notice letter and Permanent Resident Card, along with another form of identification (driver's license, passport, state identification card) with you. Your second form of identification should have your photograph on it.

How can I prepare for the civics portion of the naturalization test?

There are 100 possible civics questions on the naturalization test. During the civics test, you will be asked up to 10 questions from the list of 100 questions. You must answer 6 of the 10 questions correctly to pass the civics test. Several study tools are available to help you prepare.

The Citizenship Resource Center offers the 100 civics questions with correct answers in print and audio formats, Civics Flash Cards, and a booklet called *Learn About the United States: Quick Civics Lessons*. You will be able to download these study guides as well as watch a video about the naturalization interview and test, and take an online self test.

Visit www.uscis.gov/citizenship. From the homepage, select the "Learners" link at the top, next select "Study for the Test." Scroll down and select the link titled "Study Materials for the Civics Test." You will also find study materials for the civics test including the list of 100 questions with correct answers, Civics Flash Cards, an online self test, and a video on the naturalization interview and test.

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When will I have an interview and how can I prepare?

Once your application has been processed and your background check completed, USCIS will schedule you for an interview. At this time, USCIS will send you an interview notice in the mail that will tell you the date, time, and place of your interview. If you need to reschedule your interview, you should contact the office where your interview is scheduled by mail as soon as possible. You should explain your situation and ask to have your interview rescheduled. When a new date is set, USCIS will send you a new interview notice.

During your interview, your ability to read, write and speak English will be tested (unless you are exempt from the English requirements). You will also be given a civics test (to test your knowledge and understanding of U.S. History and Government) unless you are exempt.

English (will be tested in one of the following ways):

- For civic test, you will be given ten questions. You must provide all the answers verbally. If you answer correctly the first 6 questions you pass the test.
- For reading test, you must read one sentence correctly out of three possible sentences.
- For a writing test, you will be asked to write one sentence out of three possible sentences mostly related to the reading test

At your interview, a USCIS officer will place you under oath and then ask you about your background, evidence supporting your case, your place and length of residence, your character, your attachment to the Constitution, and your willingness to take an Oath of Allegiance to the United States. In addition, the USCIS officer may ask you some other questions to make sure that you meet all the eligibility requirements. Be prepared to explain any differences between your application and the other documents you have provided to USCIS.

A representative may accompany you to your interview if you have sent a "Notice of Entry of Appearance as Attorney or Representative" (Form G-28) with your application.

If you are exempt from the English requirements, you may bring an interpreter to the interview. If you have any disabilities, you may bring a family member or legal guardian with you at the discretion of the USCIS officer.

After your interview, you will receive a decision on your application for naturalization.

If I am a conditional resident, am I eligible for naturalization?

Generally speaking, you are not eligible for naturalization while still a conditional resident; you must first be a conditional permanent resident of the United States for 2 years through marriage to a U.S. citizen. Next, 90 days before your conditional permanent resident status expires, you must apply to remove the conditions on your permanent residency with USCIS. Once you have removed the conditions of your permanent residency and you have been married to a U.S. citizen for 3 years, you may be eligible to apply for naturalization.

I sent in my petition to remove conditions of my permanent residence, Form I-751. That was more than one year ago. Since I have been a permanent resident for three years and married to a U.S. citizen for three years, can I file for naturalization even though my I-751 has not been decided?

Yes, you may file for naturalization once you have been a permanent resident for three years and you have been married to a U.S. citizen for three years and remain married to him/her. However, your application for naturalization cannot be approved until your I-751 is approved.

The naturalization application is requesting a copy of my Permanent Resident Card. Do I have to renew or replace my Permanent Resident Card if I am applying for naturalization?

USCIS recommends that you renew your expired permanent resident card.

- If you apply for naturalization 6 months or more before the expiration date on your Permanent Resident Card (formerly known as an Alien Registration Card or “Green Card”), you do not have to apply for a new card. However, you may apply for a renewal card if you wish by using Form I-90, Application to Replace Permanent Resident Card, and paying the appropriate fee. You can obtain the form on our website at www.uscis.gov/forms.
- If you apply for naturalization less than 6 months before the expiration date on your Permanent Resident Card, or do not apply for naturalization until your card has already expired, we recommend that you renew your card.
- If you apply for naturalization and have lost your Permanent Resident Card, you can submit a letter of explanation and/or present a police report that shows you have lost your permanent resident card. In addition, you must submit a copy of any other entry document in place of the copy of the Permanent Resident Card.

I am a permanent resident and I am about to apply for naturalization, but I lost my permanent resident card. Do I need to apply for a replacement of my card?

You can still apply for naturalization even if you have lost your Permanent Resident Card. Although the application for naturalization asks for a copy of the card, you can submit a letter of explanation and/or present a police report that shows you have lost your permanent resident card. In addition, you must submit a copy of any other entry document in place of the copy of the Permanent Resident Card.

It is recommended, however, that you file for a replacement card, especially if you will not be applying for naturalization for another 6 months or if you cannot provide another entry document. You may apply for a replacement of your card using Form I-90, Application to Replace Permanent Resident Card, and pay the appropriate fee. You can obtain the form on our website at www.uscis.gov/forms.

I filed for naturalization and have since lost my permanent resident card. Do I need to apply for a new card or can I get temporary evidence of my status?

You may not need to apply for a new card if you have already submitted an application for naturalization and during the process you have lost your Permanent Resident Card. You can go to our website at www.uscis.gov and make an INFOPass appointment to request temporary evidence of your status. Generally, for emergent reasons, the Immigration Service Officers at the local USCIS office may issue you a temporary I-551 ADIT stamp while the naturalization application is pending.

While I was waiting for the naturalization process to be completed, my permanent resident card expired. Can I get temporary evidence of my status?

In general, the local USCIS office may issue temporary evidence of your status only for emergency situations.

Are there special filing instructions for members of the United States Armed Forces?

If you are in the United States Armed Forces, contact your commanding officer or the personnel office where you are posted for information and assistance in filing for naturalization.

- You will submit your naturalization application through your commanding officer or the personnel office.

Your commanding officer or the personnel office will obtain a certification of your service record in the United States Armed Forces using Form N-426, 'Request for Certification of Military or Naval Service', and then forward the entire completed naturalization application for filing with USCIS. (Veteran applicants, under certain conditions, may submit an uncertified Form N-426 with your DD Form 214 or NGB Form 22. For details, see the following FAQ.)

Do members of the Armed Forces have to submit a certified Form N-426?

USCIS offices will accept an uncertified Form N-426 from veteran applicants for purposes of naturalization if all of the following conditions are met:

- The applicant is separated from the Armed Forces at the time of filing Form N-400;
- The applicant submitted a completed but uncertified Form N-426 with your DD Form 214 or NGB Form 22;
- The applicant submitted a photocopy of his or her DD Form (or photocopies of multiple DD Form 214 or NGB Form 22) for all periods of service captured on Form N-426 ; and
- The DD Form 214 lists information on the type of separation and character of service (such information is found on page "Member-4").

When all four conditions are met, the Nebraska Service Center will process Form N-400 applications accompanied by an uncertified Form N-426 including DD Form 214 or NGB Form 22.

May I travel outside the United States while my N-400 is pending?

Yes, you may travel outside the United States while your N-400 is pending, but keep in mind that you'll need to be here to get your fingerprints taken and for the interview and hearing. Also keep in mind that each trip you take may be very relevant to deciding whether your residence has been continuous. An absence from the United States can be long enough to interrupt your accrual of time for [continuous residence](#). If that happens, you must start the process over again once you return to the United States. You must accrue the necessary number of days for continuous residence in the United States in order to be able to apply for naturalization. (For example, a trip in which you are absent from the United States for more than 6 months can affect your [continuous residence](#)).

Can I apply to officially change my legal name as part of my naturalization?

- The request to change your legal name as part of your naturalization should clearly state the name as you want it to appear on your naturalization certificate.
- You can also submit your request to change your current legal name at the time of your naturalization interview.
 - This may delay the processing of your case for naturalization.
 - If you want to change your legal name as part of your naturalization, you typically must take the Oath of Allegiance in court. The process that is followed depends on the jurisdiction you are in.

What if my name has changed since my last Permanent Resident Card was issued?

If you are changing your last name because you were married, please attach your marriage certificate, and complete your naturalization application using your new last name. If you changed your name through court, please include the court paper with your naturalization application and complete your naturalization application using the name indicated on the court papers.

Do I need to file a Declaration of Intent to naturalize?

Before 1952 an applicant for naturalization had to file a 'declaration of intent' to naturalize and become a United States citizen before actually applying for naturalization. This has not been required since 1952. A qualifying person can still choose to file this declaration if applying for a professional license or a particular kind of employment that requires that the person either be a United States citizen or have declared an intent to naturalize.

Note: [FAQs about declarations of intent](#)

Can same-sex marriages, like opposite-sex marriages, reduce the residence period required for naturalization?

Yes. As a general matter, naturalization requires five years of residence in the United States following admission as a lawful permanent resident. But, according to the immigration laws, naturalization is available after a required residence period of three years, if during that three year period you have been living in "marital union" with a U.S. citizen "spouse" and your spouse has been a United States citizen. For this purpose, same-sex marriages will be treated exactly the same as opposite-sex marriages.

If I was a refugee or was granted asylum before I became a permanent resident, does my time in that status count toward the time I need as a permanent resident to apply for naturalization?

- **Permanent Resident from Refugee status** - if you entered as a refugee and became a permanent resident directly based on your refugee status, the time counts from the moment you were admitted as a refugee.
 - This date should already be shown as the date you became a permanent resident on your card.
- **Permanent Resident from Asylee status** – if you were granted asylum and then became a permanent resident directly based on your asylee status, the time counts from the date you were granted permanent residence, not from the date you were granted asylum.
 - This date should already be shown as the date you became a permanent resident on your card.
- **Person still in Refugee or Asylee status** – until you are granted permanent residence, you are not eligible for naturalization.

What if I am a permanent resident commuter?

Permanent resident commuter status is a status in which a permanent resident continues to actually live in Mexico or Canada but regularly commutes to the United States for employment.

- A permanent resident commuter is not eligible for naturalization because he/she is living outside the United States and therefore does not meet the continuous residence requirement.
- For a permanent resident commuter, physical presence and continuous residence begin when the commuter actually takes up residence in the United States.

What if I am in removal proceedings?

If you have been ordered deported or removed, or are in removal proceedings, you are not eligible for naturalization until the proceedings are complete and you are determined eligible to remain in the United States as a permanent resident.

- However, a person seeking naturalization based on military service may be eligible even while in removal proceedings.

If you are allowed to keep your permanent resident status when proceedings are concluded, the time while you were in proceedings counts towards the necessary time requirement as a permanent resident for naturalization since you would have never lost your permanent resident status.

What if I was once deported or removed?

If you were deported or removed from the United States, then you must acquire permanent residence status and thereafter accrue the necessary time as a permanent resident for naturalization.

Certificate of Naturalization

What will happen at the naturalization ceremony?

If USCIS approves your application for naturalization, you must attend a ceremony and take the Oath of Allegiance to the United States. USCIS will notify you by mail of the time and date of your ceremony. The notice USCIS sends you is called the “Notice of Naturalization Oath Ceremony” (Form N-445). In some cases, USCIS may give you the option to take the Oath on the same day as your interview. If this is offered to you and you decide to take a “same-day” oath, USCIS will ask you to come back to the office later that day. At this time, you will take the oath and receive your Certificate of Naturalization.

When you arrive at the ceremony, you will be asked to check in with USCIS. Try to arrive early. Remember that often there are many other people being naturalized with you who must also be checked in. You may bring immediate family with you to the ceremony. Oath ceremony seating should be available for immediate family members.

If you cannot attend the ceremony on the day you are scheduled, you should return the USCIS notice (Form N-445) to your local office. You should include a letter explaining why you cannot be at the ceremony and asking USCIS to reschedule you.

Note: If you cannot attend your scheduled ceremony and your local office is Los Angeles, CA, San Bernadino, CA, San Fernando, CA, or Santa Ana, CA please send an e-mail to USCIS District 23 at OathCeremonyD23@dhs.gov with an explanation and request for rescheduling.

You will be required to return your Permanent Resident Card to USCIS when you check in for your oath ceremony. You will no longer need your card because you will receive your Certificate of Naturalization at the ceremony.

You must answer every questions located on the back of the notice Form N-445.

You will take the Oath of Allegiance, which will be led by a USCIS official. The official will read each part of the Oath slowly and ask you to repeat his or her words. If you believe you qualify for a modified Oath, you should include a letter explaining your situation with your application. USCIS may also ask you to provide a document from your religious organization explaining its beliefs and stating that you are a member in good standing.

Once you have taken the Oath, you will receive your [Certificate of Naturalization](#). You may use this document as proof that you are a U.S. citizen.

Note: USCIS strongly recommends that you obtain a U.S. passport soon after your naturalization ceremony. A passport serves as evidence of citizenship and is easier to carry than a Certificate of Naturalization. Also, if you lose your certificate of citizenship, it may take many months to replace.

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How can I obtain a certified copy of my Naturalization Certificate?

When a naturalized U.S. citizen needs to have a Certificate of Naturalization “authenticated” by the U.S. Department of State, USCIS can copy the document and certify it as a true copy. If you have the original document to be certified, you must make an appointment with your local USCIS office by using InfoPass on our website at www.uscis.gov. When you go to your appointment, be sure to bring your original naturalization certificate and a copy of it. Also bring another form of photo identification, such as a driver’s license or passport. A USCIS officer will review the documents and may certify the copy if the officer can confirm your identity and status as a naturalized citizen.

Naturalization Certificate Information

The Certificate of Naturalization serves as evidence of citizenship and is given after you take the Oath of Allegiance to the United States. There have been many different versions of the Certificate of Naturalization. The currently-issued certificate features an embedded digitized photo and signature, a color-shifting background, and other enhanced security features. All previously issued certificates remain valid.

[Back to](#) [Naturalization Process](#) [Services for Permanent Residents and Naturalization](#)

Declaration of Intent

OVERVIEW

Before 1952 an applicant for naturalization had to file a 'declaration of intent' to naturalize and become a United States citizen before they could actually apply for naturalization. This has not been required since 1952.

A qualifying person can still choose to file this declaration if applying for a professional license or a particular kind of employment that requires that the person either be a United States citizen or have declared an intent to naturalize.

General FAQs

- [When is a declaration of intent necessary?](#)
- [Who is eligible?](#)
- [How do I file a declaration of intent?](#)
- [How can I get an N-300 application form?](#)
- [What if I have changed my name since my current Permanent Resident Card was issued?](#)
- [How should I organize my N-300 application?](#)

When is a declaration of intent necessary?

A declaration of intent is not required for immigration purposes and does not affect immigration status in any way. The declaration of intent does not improve eligibility for naturalization nor does it confer any of the rights or privileges of United States citizenship.

- A job or professional license may require that a person be a United States citizen or have filed a declaration of intent to become a citizen.

Who is eligible?

- You must be a permanent resident and at least 18.
- You do not otherwise have to meet relevant standards and requirements for naturalization when you apply.

How do I file a declaration of intent?

Apply to USCIS by filing Form [N-300](#), 'Application to File Declaration of Intention'.

How can I get an N-300 application form?

The [Form N-300](#) can be downloaded from our web site at www.uscis.gov. Forms can also be obtained by calling the USCIS Forms Hotline at 1-800-870-3676.

What if I have changed my name since my current Permanent Resident Card was issued?

Apply using the name shown on your last Permanent Resident Card or other document issued by either INS or USCIS evidencing your Permanent Resident Status. While you will have to attach documentation of any subsequent legal name change to prove who you are, the declaration of intent will be issued in the name shown on your status document.

If your name has changed, you should separately apply to update your Permanent Resident Card or other document issued by either INS or USCIS. You can choose to wait to submit your declaration of intent until after your new card or other status document is issued so that you can apply and have it issued in your current name.

How should I organize my N-300 application?

Follow the instructions on the application on organizing your application and include the following initial evidence:

- Your N-300 application completely filled out and signed.
- A check or money order for the total filing fee attached to the front of your N-300.
- If an attorney or accredited representative represents you, include a signed form G-28, 'Notice of Entry of Appearance as Attorney or Representative'.
- A copy of the front and back of your current Permanent Resident Card.
- 3 identical passport-style photographs taken no more than 30 days before you file your application.
- Write your name and your USCIS account number, or A#, on the back of each photo in pencil.
- If you have legally changed your name since your card or other status document or certificate was last issued, include evidence of every name change since it was issued.

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[Services for Permanent Residents and Naturalization](#)

Services for Permanent Residents and Naturalization	
How to Prove your Status when Applying for a Social Security Card, Drivers license or for a Job, or When you Travel (how to get travel documents)	

[Information about how to prove your status when applying for a Social Security card, driver's license or for a job.](#)

[Information about how to prove your status when you travel and how to get travel documents.](#)

[Back to](#) [Services for Permanent Residents and Naturalization](#)

Services for Permanent Residents and Naturalization

Information about how to prove your status when applying for a Social Security card, driver's license, or for a job.

OVERVIEW

Adult permanent residents must carry their Permanent Resident Card. Employment authorization is an automatic part of permanent resident status. A permanent resident applying for a job in the U.S. typically just shows the employer their unrestricted Social Security card and either their driver's license or Permanent Resident Card.

The Social Security Administration would not issue me a Social Security Account Number because they could not confirm my immigration status. What should I do?

If the Social Security Administration (SSA) is unable to confirm your immigration status, then the SSA should submit Form G-845, Document Verification Request, and the Supplement to this form to USCIS.

Note: The SSA already knows that when they are unable to confirm someone's immigration status that they (SSA) should submit these forms to USCIS. However, sometimes the SSA employee may be new or may have forgotten. In this case, you should remind the SSA employee that these forms should be submitted to USCIS if SSA is unable to confirm the customer's immigration status.

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Services for Permanent Residents and Naturalization

Information about how to prove your status when you travel, and how to get travel documents.

OVERVIEW

A permanent resident usually needs only a valid Permanent Resident Card to re-enter the U.S. after a trip abroad. However, most foreign countries require a passport to enter. A Permanent Resident should check with the destination country to see if a passport is required. Permanent Residents can also apply for a re-entry permit before they leave the U.S. A re-entry permit is valid for two years.

FAQs about re-entry permits, and passport and travel requirements

- [Why would I need a re-entry permit?](#)
- [What are the new passport requirements?](#)

Re-Entry Permits - Eligibility and Evidence Requirements

- [Who is eligible to apply for a re-entry permit?](#)
- [I have an old re-entry permit. Do I need to turn in my old permit if I am filing for a new one?](#)
- [How do I get a re-entry permit?](#)
- [What initial evidence must I file along with Form I-131?](#)

FAQs continue on next page

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I-131 General Filing Process Questions

- [Do I have to be physically present in the United States when I apply for a reentry permit?](#)
- [What will happen if I do not apply for a re-entry permit before I travel outside of the U.S.?](#)
- [Can I apply for the re-entry permit and then leave, even though I don't have the re-entry permit in my possession yet?](#)
- [What is the filing fee for Form I-131?](#)
- [Where do I file Form I-131 for a reentry permit?](#)

Length of Reentry Permit Validity and Admissibility Questions

- [For how long is the reentry permit generally valid?](#)
- [I am a conditional permanent resident. For how long will my reentry permit be valid?](#)
- [How many times can I receive a reentry permit?](#)
- [If I have a criminal history and a valid reentry permit, will USCIS readmit me to the United States?](#)
- [Can I use the reentry permit in place of passport when entering foreign countries?](#)

Other Frequently Asked Questions about Re-Entry Permits

- [What document\(s\) are generally needed for a permanent resident to re-enter the United States?](#)
- [What document\(s\) are needed for a permanent resident to travel outside of the United States and enter a foreign country?](#)
- [If I acquired permanent residence based on asylee or refugee status do I have to get a reentry permit or do I have the option of getting a refugee travel document?](#)
- [What should I do if I lose my travel document while I am overseas?](#)

Why would I need a re-entry permit?

A permanent resident who departs the United States and remains outside the country for one year or more is usually deemed to have abandoned his/her status, unless he/she has a valid re-entry permit in his/her possession upon re-entering the United States.

A [re-entry permit](#) allows a permanent resident to apply for admission to the United States upon return from abroad during the period of the permit's validity without the necessity of obtaining a returning resident visa. Permanent Residents generally use re-entry permits:

- To re-enter the U.S. after travel of one year or more,
- As a travel document because they could not obtain a passport from their home country, or
- As an additional travel and identity document along with a passport from their home country. Re-entry permits are generally valid for two years from the date of issuance of the re-entry permit.

What are the new passport requirements?

As part of U.S. Department of State's [Western Hemisphere Travel Initiative](#), all travelers will be required to present a valid passport or other accepted document(s) to enter or re-enter the U.S. If you are a permanent resident, you may use the following guidelines for Air, Land or Sea travel:

Air Travel: All travelers including children must present a passport or secure travel document when entering the United States by air.

Land/Sea Travel: Lawful permanent residents may continue to present their Form I-551, Permanent Resident Card. [More information available at CBP.gov](#).

Eligibility and Evidence Requirements

Who is eligible to apply for a re-entry permit?

Eligible persons for a re-entry permit are:

- Lawful Permanent Residents or Conditional Permanent Residents; and
- In the United States at the time of application and to have your biometrics (photo/fingerprints) taken.

I have an old re-entry permit. Do I need to turn in my old permit if I am filing for a new one?

A re-entry permit cannot be extended. If yours is expiring, you will need to apply for a new one. If you have a valid re-entry permit in your possession, you will need to send it in when you apply for a new one. For security reasons, USCIS will not issue a new re-entry permit to someone who already has a valid one in his or her possession. You need not send in an expired re-entry permit. If you need a new re-entry permit because your previous one was lost, stolen, or destroyed, please indicate this on your application for the new permit.

How do I get a re-entry permit?

If you want to get a re-entry permit, file [Form I-131](#), *Application for Travel Document*. You should file this application well in advance of your planned trip. You not only need to file the application while in the U.S., but you also need to remain in the U.S. until after your biometrics appointment is completed.

What initial evidence must I file along with Form I-131?

If you are a permanent resident or conditional resident, you must attach:

- A copy of the alien registration receipt card; or
- If you have not yet received your Permanent Resident Card, a copy of the biographic page of your passport and the page of your passport indicating initial admission as a permanent resident, or other evidence that you are a permanent resident; or
- A copy of the approval notice of a separate application for replacement of the alien registration receipt card or temporary evidence of permanent resident status.

General Filing Process Questions**Do I have to be physically present in the United States when I apply for a re-entry permit?**

Yes, you must be in the United States when you apply for the re-entry permit and to have your biometrics taken.

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What will happen if I do not apply for a re-entry permit before I travel outside of the U.S.?

If you are a permanent resident who plans to travel outside of the U.S. for one year or more, it is important that you apply for a re-entry permit before you depart the U.S. If you stay outside of the U.S. for one year or more and did not apply for a re-entry permit before you left, then you may be considered to have abandoned your permanent resident status and may be refused entry into the U.S. if you try to return. If you are in this situation, contact the U.S. Consulate about a returning resident visa.

Can I apply for the re-entry permit and then leave, even though I don't have the re-entry permit in my possession yet?

U.S. immigration law does not require that you have the re-entry document in your possession when you depart, but it does require that you apply for the permit and have your biometrics taken before you leave the U.S. We may be able to send your re-entry permit to the U.S. Consulate or Embassy in the country you plan on visiting, but you'll need to specifically request in Form I-131 when you file. If you choose this option, you should contact the U.S. Consulate or Embassy in the country you plan on visiting when you arrive, to let them know how to contact you while you are in that country. The U.S. Consulate or Embassy may then contact you if your application is approved and your permit has arrived there.

If you are planning to use the re-entry permit as a passport, then you will need to wait for it before leaving the U.S. If you cannot wait, you may want to contact the consulate of the country you are planning to visit to find out if you can use other documents to enter.

How may I obtain Form I-131?

[Form I-131](#) can be downloaded by accessing the USCIS website at www.uscis.gov.

What is the filing fee for Form I-131?

Please see [Form I-131](#) for the filing fee for this Form.

Where do I file Form I-131 for a reentry permit?

Please follow the instructions for the [Form I-131](#) for where to file information.

Length of Reentry Permit Validity and Admissibility Questions

For how long is the reentry permit generally valid?

A re-entry permit is generally valid for two years

However, a reentry permit issued to a person who, since becoming a permanent resident or during the last 5 years, whichever is less, has been outside the United States for more than 4 years in total, will be limited to a validity of one year.

I am a conditional permanent resident. For how long will my reentry permit be valid?

There are several factors that determine the length of validity of a reentry permit for a conditional resident.

- 1) If it is more than 90 days prior to the expiration of your conditional status, the reentry permit will be issued with a validity date that matches the expiration date of your conditional status.
- 2) If it is less than 90 days prior to the expiration of your conditional status, USCIS will check to see if you have filed a Form I-751, Petition to Remove the Conditions of Residence.
 - a) If you have not filed Form I-751, you will be sent a Request for Evidence (RFE) as to why you haven't filed Form I-751. Once you file Form I-751, your application for a reentry permit will be determined as follows:
 - i) If you have filed Form I-751 and it has been approved, you will be granted a reentry permit valid for 2 years since upon approval of Form I-751 you become a Lawful Permanent Resident.
 - ii) If you have filed Form I-751 and the petition is pending, you will be granted a reentry permit valid until the expiration of your conditional status plus one additional year.
 - iii) If you have filed Form I-751 and the petition has been denied, your application for a reentry permit will be denied as you are no longer in a valid status.

Note: The above answer is the same for conditional residents who obtained such status through entrepreneurship. You would only need to substitute Form I-751 with Form I-829, Petition by Entrepreneur to Remove Conditions.

How many times can I receive a reentry permit?

You may receive a reentry permit as many times as you would like, but the Service has discretion to approve or deny the application.

In addition, a reentry permit issued to a person who, since becoming a permanent resident or during the last 5 years, whichever is less, has been outside the United States for more than 4 years in total, will be limited to a validity of one year.

If I have a criminal history and a valid reentry permit, will USCIS readmit me to the United States?

Please call our toll-free number at 1-800-375-5283 for assistance with this question.

Can I use the reentry in place of passport when entering foreign countries?

A permanent resident needs to contact the Embassy or Consulate of the particular country to be visited and inquire about adherence to entry requirements of that country.

Other Frequently Asked Questions**What document(s) are generally needed for a permanent resident to re-enter the United States?**

As a permanent resident, you may leave and return to the United States, using your Permanent Resident Card, Form I-551, which is often called a "green card", for a period of time not to exceed one year from the date of departure. You will need to keep a copy of any tickets or other evidence of the date you departed. It is also advisable you possess a valid passport.

What document(s) are needed for a permanent resident to travel outside of the United States and enter a foreign country?

A permanent resident needs to contact the Embassy or Consulate of the particular country to be visited and inquire about adherence to entry requirements of that country.

If I acquired permanent residence based on asylee or refugee status, do I have to get a reentry permit or do I have the option of getting a refugee travel document?

You can apply for either one, but a re-entry permit is usually more useful.

What should I do if I lose my travel document while I am overseas?

You should contact the U.S. Department of State (U.S. Embassy or Consulate) abroad about obtaining a travel letter or a returning resident visa.

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Services for Permanent Residents and Naturalization

Renewing or Replacing Your Permanent Resident Card or Removing Conditions from Conditional Residence

OVERVIEW

A Permanent Resident Card provides proof of an individual's status in the United States. It also serves as a valid identification document and proof of employment eligibility. A Permanent Resident Card, commonly known as a "Green Card", is valid for a period of 10 years, *unless* a person has been granted conditional permanent resident status, in which case the card is only valid for two years.

First, if you have your permanent resident card, please take a look at it. Which of the following describes your card?

- [It was valid for 10 years and is expiring within 6 months from today, or has already expired, or it does not have an expiration date](#)
- [It was valid for only two years and is expiring \(you are removing conditions on permanent residence\)](#)
- [You need to update information on your card, such as if you changed your name, or you need to replace your card because it is lost, you never received it, or the information is not correct, or you have turned 14 since your last card was issued](#)

Note: [Help with determining what, where and how to file to renew or replace a permanent resident card, OR to remove the conditions on conditional permanent resident status.](#)

[Frequently Asked Questions about Permanent Resident Cards](#)

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Services for Permanent Residents and Naturalization

If it was valid for 10 years and is expiring within 6 months from today, or has already expired, or it does not have an expiration date.

OVERVIEW

Renewals are done for customers who have an I-551, Permanent Resident Card, that will expire within 6 months or a card that has already expired. These must be mailed to the address on the newest Form I-90 available on our website. If the customer has a card that has been extended by a sticker placed on it or has temporary evidence of permanent resident status, such as a stamp in a passport or on an I-94, and that sticker or temporary evidence is about to expire, he or she must make an appointment to go to a LOCAL OFFICE to get another extension.

It may be necessary for you to **renew** your Permanent Resident Card if it will expire within the next six months or if it has already expired, or if it does not have an expiration date.

FAQs about Permanent Resident Cards

[How do I renew my Permanent Resident Card?](#)

[Do I need to renew my Permanent Resident Card if it does not have an expiration date?](#)

[Do I need to carry my Permanent Resident Card with me at all times?](#)

[If I file to replace my 10-year Permanent Resident Card, will the replacement card have a new expiration date?](#)

[What should I do with my unexpired Permanent Resident Card when I receive my renewal card?](#)

[If a lawful permanent resident dies, should I notify USCIS and what should I do with his or her card?](#)

[How can I tell if I am a conditional resident?](#)

[Is there an easy way to tell from my Permanent Resident Card how long I have been a permanent resident?](#)

FAQs about the new redesigned Permanent Resident Cards

[Why did USCIS redesign the Green Card?](#)

[What major improvements has USCIS included in the redesigned Green Card?](#)

[Is the Permanent Resident Card actually green, as its nickname suggests?](#)

[Who will receive the redesigned Green Card?](#)

[What happens to existing Green Cards with the old design?](#)

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How do I renew my Permanent Resident Card?

File a Form I-90 with USCIS to **renew** your Permanent Resident Card. [Form I-90](#) is available on our web site at www.uscis.gov. If you file Form I-90 by mail, you will need to include supporting evidence, such as a copy of your expired or expiring card. The instructions on the form will give you more details. Since filing procedures recently changed, please review the most recent instructions on our website. If you have questions after you read those instructions, just check our web site or call customer service for more information. You may be able to [file this form electronically](#) right from our website.

After you file, you will be mailed a notice scheduling you for an appointment to go to an Application Support Center (ASC) to have your fingerprints, photo and signature taken. If you filed Form I-90 electronically, mail your supporting documentation, such as a copy of your expired or expiring card, to the following address:

National Benefits Center
Attn: E-filed I-90 Application
P.O. Box 25920
Overland Park, KS 66225

Include a copy of your e-filed I-90 confirmation receipt with your supporting documentation.

Note: Form I-90 requests the applicant's A#. If you have lost your A#, you need to make an INFOPASS appointment to obtain it.

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Do I need to renew my Permanent Resident Card if it does not have an expiration date?

Older versions of the card should be replaced. There are several versions of older cards in existence:

- **Form I-551 version - if your card is titled “Permanent Resident Card”,** you have the newest edition of the card, issued since 1998.
 - Look at ‘Resident Since’ on the front of your card. This is the date you became a permanent resident. These cards are still good.
- **Form I-551 version - if your card is titled ‘Resident Alien’ and it is pink,** (these were issued between 1989 to 1998 – and also shows a card expiration date on the front), then:
 - On the back you will see a line of printed letters and numbers at the bottom of the colored part of your card.
 - The third set of numbers from the left has six digits. This is when you became a permanent resident, shown as year / month / day. These cards are still good.
- **Form I-551 version - if your card is titled ‘Resident Alien’ and it is white,** (these were issued between 1977 and 1989), then:
 - On the back you will see three lines of printed letters and numbers, with small legends in light brown.
 - Look at the bottom line. The first entry on the left is labeled “ADM/ADJ DATE”. This is the date you became a permanent resident. While these cards are still valid, they may be replaced.
- There are also a number of Form I-151 versions of the card. These cards were issued prior to 1977. If your card indicates that it is a Form I-151 version, it is no longer valid. If you have not replaced your card, it should show the date you became a permanent resident typed or stamped at the bottom under month, day and year of entry. If you have one of these older editions of the permanent resident card, you should apply to replace it.

Do I need to carry my Permanent Resident Card with me at all times?

Yes. The Permanent Resident Card, Form I-551, is issued to all Permanent Residents as evidence of alien registration and their permanent resident status in the U.S. The card must be in your possession at all times. This means that you are not only required to have a currently valid card at all times, but also that you carry your currently valid card with you at all times. The card is only valid up to the expiration date and should be renewed before it expires.

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If I file to replace my 10-year Permanent Resident Card, will the replacement card have a new expiration date?

Yes. The replacement 10-year Permanent Resident Card will have a new expiration date.

[Information about the 2-year Permanent Resident Cards](#)**What should I do with my unexpired Permanent Resident Card when I receive my renewal card?**

You should send the card to your local USCIS field office along with a letter explaining why the card is being returned.

If a lawful permanent resident relative dies, should I notify USCIS and what should I do with his or her card?

While not a requirement, it is recommended that you notify USCIS. You should send your relative's permanent resident card to the local USCIS field office along with a letter explaining that you are returning the card due to the death of the permanent resident.

Why did USCIS redesign the Green Card?

The Green Card redesign is the latest advance in USCIS's ongoing efforts to deter immigration fraud. State-of-the-art technology prevents counterfeiting, obstructs tampering, and facilitates quick and accurate authentication of the card. The enhanced features will better serve law enforcement, employers, and immigrants, all of whom look to the Green Card as definitive proof of authorization to live and work in the United States.

What major improvements has USCIS included in the redesigned Green Card?

Secure optical media store biometrics for rapid and reliable identification of the card holder. Holographic images, laser engraved fingerprints, and high resolution micro-images make the card nearly impossible to reproduce. Tighter integration of the card design with personalized elements makes it difficult to alter the card if stolen. Radio Frequency Identification (RFID) capability allows Customs and Border Protection officers at ports of entry to read the card from a distance and compare it immediately to file data. Finally, a preprinted return address enables the quick and easy return of a lost card to USCIS.

Is the Permanent Resident Card actually green, as its nickname suggests?

No. After the redesign, the card is not colored green.

Who will receive the redesigned Green Card?

Beginning May 11, 2010, USCIS will issue all Green Cards in the new, more secure format. Recipients of the redesigned card will include those newly approved for lawful permanent residency, as well as those who have sought a renewal or replacement card.

What happens to existing Green Cards with the old design?

Some existing Green Cards bear an expiration date, and those cards will remain valid until they expire. Holders of those cards will receive the redesigned version when seeking a renewal or replacement.

Other existing Green Cards have no expiration date, and those cards remain valid. USCIS recommends that holders of cards without an expiration date apply to replace their cards with the redesigned version.

Additionally, eligible permanent residents may choose to explore becoming a naturalized U.S. citizen. For more information on eligibility for naturalization, go to www.uscis.gov/citizenship.

How can I tell if I am a conditional resident?

In addition to the information given to you when you became a permanent resident with conditions, you can tell from your card.

If your card has an expiration date and is valid for 2 years from when you were granted permanent residence instead of for the normal 10 years, then you are a conditional resident.

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Is there an easy way to tell from my Permanent Resident Card how long I have been a permanent resident?

Look at the front of your card – the side with your photo.

- If your card is titled “Permanent Resident Card”, you have the newest edition of the card, issued since 1998.
- Look at ‘Resident Since’ on the front of your card. This is the date you became a permanent resident.
- If your card is titled ‘Resident Alien’ and it is pink, (these were issued between 1989 to 1998 – and also shows a card expiration date on the front), then:
 - On the back you will see a line of printed letters and numbers at the bottom of the colored part of your card.
 - The third set of numbers from the left has six digits. This is when you became a permanent resident, shown as year / month / day.
- If your card is titled ‘Resident Alien’ and it is white, (these were issued between 1979 and 1989), then:
 - On the back you will see three lines of printed letters and numbers, with small legends in light brown.
 - Look at the bottom line. The first entry on the left is labeled “ADM/ADJ DATE”. This is the date you became a permanent resident.
- There are a number of older versions of the card. Most of these are no longer valid. If you have not replaced your card, it should show the date you became a permanent resident typed or stamped at the bottom under ‘month, day and year of entry.’

If you have one of these older editions of the permanent resident card, you should apply to replace it.

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Do you have your permanent resident card with you right now?

- [Yes](#)
- [No, my card was lost, stolen or destroyed.](#)

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Your permanent resident card:

- [Is/Was valid for ten \(10\) years](#)
- [Is/Was valid for two \(2\) years](#)
- [Does/Did not have an expiration date on it](#)

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IS/WAS VALID FOR 10 YEARS

You need a new card because:

- [Your card has already expired](#) (You need to renew it)
- [Your card is expiring within 6 months](#) (You need to renew it)
- [Your card has been lost, stolen or destroyed](#) (You need to replace it)
- [You have turned 14 since your last card was issued](#) (You need to replace it)
- [You have changed your name or other information](#) (You need to replace it)
- There is an error on your card (please call the USCIS National Customer Service Center at 1-800-375-5283)
- You never received your card (please call the USCIS National Customer Service Center at 1-800-375-5283)

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IS/WAS VALID FOR TWO YEARS

You need a new card because:

- [Your card has already expired](#) (You need to file to remove the conditions of your residence)
- [Your card is expiring](#) (You need to file to remove the conditions of your residence)
- [Your card has been lost, stolen, or destroyed](#) (You need to replace it)
- [You have changed your name or other information](#) (You need to replace it)
- There is an error on your card (please call the USCIS National Customer Service Center at 1-800-375-5283)
- You never received your card (please call the USCIS National Customer Service Center at 1-800-375-5283)

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DOES/DID NOT HAVE AN EXPIRATION DATE ON IT

You need a new card because:

- [You want a newer version card](#) (You need to replace it)
- [Your card has been lost or destroyed](#) (You need to replace it)
- [Your card has been stolen](#) (You need to replace it)
- [You have turned 14 since your last card was issued](#) (You need to replace it)
- [You have changed your name or other information](#) (You need to replace it)

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10 YEAR CARD EXPIRED OR EXPIRING AND WANTS NEW CARD; NAME OR OTHER INFORMATION CHANGE

From the information you have provided, it appears you may need to file Form I-90. You can obtain [Form I-90](#) from our website.

You may file Form I-90 by mail or you may [file it on our web site electronically](#).

If you file Form I-90 by mail, you should include supporting evidence, such as a copy of your expired or expiring card. Since filing procedures recently changed, please review the most recent instructions to the form on our website at www.uscis.gov.

If you file Form I-90 electronically, mail your supporting documentation, such as a copy of your expired or expiring card, to the following address:

National Benefits Center
Attn: E-filed I-90 Application
P.O. Box 25920
Overland Park, KS 66225

Include a copy of your e-filed I-90 confirmation receipt with your supporting documentation.

[Back to Renewal of I-551 Card](#) [Services for Permanent Residents and Naturalization](#)

10 YEAR OR CARD WITH NO EXPIRATION DATE - CARD LOST, STOLEN OR DESTROYED OR WANTS NEW CARD

From the information you have provided, it appears you need to file Form I-90. You can obtain [Form I-90](#) from our website.

You may file Form I-90 by mail or you may [file it on our web site electronically](#).

If you file Form I-90 by mail, you should include supporting evidence, such as a copy of your previous card and any additional evidence to establish that the card was lost or destroyed. If your card was stolen, you will be required to include a copy of your previous card and a copy of the police report. Since filing procedures recently changed, please review the most recent instructions to the form on our website at www.uscis.gov.

If you file Form I-90 electronically, mail your supporting documentation to the following address:

National Benefits Center
Attn: E-filed I-90 Application
P.O. Box 25920
Overland Park, KS 66225

Include a copy of your e-filed I-90 confirmation receipt with your supporting documentation.

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TURNED 14 SINCE LAST CARD ISSUED

Every permanent resident who obtained permanent resident status prior to turning age 14 is required by law to register and have his/her fingerprints taken when he/she turns 14. To do this, a permanent resident turning 14 files an I-90 on or after having turned 14. You can obtain the [Form I-90](#) from our website.

You must file the I-90 by mail. E-Filing is NOT available for persons filing in this category.

If you file the I-90 within 30 days after turning 14, you may not be required to pay the filing fee. If you wait more than 30 days after turning 14, you will be required to pay the filing fee. At all times, a person who is filing an I-90 whose previous card was issued prior to turning 14 will be required to pay a biometrics/fingerprinting fee and have a full set of his/her fingerprints taken.

[Back to](#) [Renewal of I-551 Card](#)

[Services for Permanent Residents and Naturalization](#)

TWO YEAR CARD ALREADY EXPIRED

You should have filed a [Form I-751](#) within 90 days prior to the expiration of your card. Failure to do so can result in loss of status.

You can still file the I-751 if you failed to do so because of an unforeseen circumstance outside of your control, such as hospitalization during the filing period window.

Be sure to include a written explanation and any evidence of the explanation if you file.

If you do not file, your status will be automatically terminated, and you may be placed into proceedings to remove you from the United States.

[Back to](#) [Renewal of I-551 Card](#) [Services for Permanent Residents and Naturalization](#)

TWO YEAR CARD EXPIRING

Your conditional permanent resident status was based on:

- [A marriage to a U.S. citizen](#)
- [Being an entrepreneur](#)

[Back to](#) [Renewal of I-551 Card](#) [Services for Permanent Residents and Naturalization](#)

TWO YEAR CARD – LOST, STOLEN, OR DESTROYED

If your card has been lost, stolen, or destroyed, you can file a Form I-90. You will still be required to file a Form I-751 to remove the conditions of your permanent residence within 90 days before the expiration date of your lost, stolen, or destroyed card.

For an I-90 that is filed to replace a lost, stolen, or destroyed card, any card that you would receive as a result of the approval of the I-90 would have the same expiration date as your original card.

We cannot issue a replacement card with an expiration date on it that has already passed by the time the card is created. We also will not produce a replacement card for a conditional permanent resident whose card/status is within 90 days of expiration.

If you file Form I-90, you may file it by mail, or you may file it on our web site electronically.

If you file Form I-90 by mail, you should include supporting evidence, such as a copy of your previous card and any additional evidence indicated in the instructions to the form. Since filing procedures recently changed, please review the most recent instructions to the form on our website at www.uscis.gov.

If you file Form I-90 electronically, mail your supporting documentation, such as a copy of your previous card and any additional evidence indicated in the appointment notice, to the following address:

National Benefits Center
Attn: E-filed I-90 Application
P.O. Box 25920
Overland Park, KS 66225

Include a copy of your e-filed I-90 confirmation receipt with your supporting documentation.

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TWO YEAR CARD – NAME OR OTHER BIOGRAPHICAL CHANGE

If your card will expire within 6 months, you should wait to file Form I-751 until within 90 days before the date of your card's expiration. At that time, submit evidence of your name change or other information that needs to be changed with the I-751.

You may file [Form I-90](#) by mail, or you may file it on our web site electronically.

If you file Form I-90 by mail, you should include your supporting evidence, such as a copy of your previous card and any additional evidence to establish the new information. Since filing procedures recently changed, please review the most recent instructions to the form on our website at www.uscis.gov.

If you file Form I-90 electronically, mail your supporting documentation, such as a copy of your previous card and any additional evidence to establish the new information, to the following address:

National Benefits Center
Attn: E-filed I-90 Application
P.O. Box 25920
Overland Park, KS 66225

Include a copy of your e-filed I-90 confirmation receipt with your supporting documentation.

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Services for Permanent Residents and Naturalization

Your card was valid for only two years and is expiring

OVERVIEW

In order for an individual to have the conditions removed from his or her permanent residence, he or she must file a Petition to Remove the Conditions on Residence (I-751) (or an I-829 if the conditional residence was granted as a result of an I-526 for an entrepreneur) with USCIS. Once Form I-751 or I-829 is approved, the individual then becomes a permanent resident of the United States without conditions. However, the removal of conditions is not a given. Rather, the applicant in most cases must demonstrate that the marriage was entered into in good faith and that the marriage has continued to prosper. Anyone with questions related to the I-829 should be referred to the Employer, Business, Investor and School Services (EBISS) line at 1-800-357-2099.

What was your conditional permanent resident status based on:

- [A marriage to a U.S. citizen](#)
- [Being an entrepreneur](#)

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You will need to file a [Form I-751](#) to remove the conditions of your permanent residence within 90 days prior to the expiration of your card. Failure to do so may result in automatic termination of your status and result in immigration court proceedings.

Once you file Form I-751 you will receive a receipt notice. That notice will extend your status and your card for up to one year from the date of the notice. Be sure to keep the receipt and your card together, especially if you travel outside the U.S.

[Eligibility and Evidence Requirements](#)

- [Who is eligible to apply to remove conditions on his or her permanent residence?](#)
- [What application must I file to remove the conditions on my permanent residence?](#)
- [What initial evidence must I provide to remove conditions?](#)
- [What are some examples that demonstrate evidence of relationship?](#)
- [Is there any additional evidence, aside from evidence of relationship, I must submit with my application?](#)

[General Filing Process Questions](#)

- [Do I need the signature of my spouse to file Form I-751?](#)
- [When should I file Form I-751?](#)
- [Is it necessary to file a separate Form I-751 for my child?](#)
- [What if I fail to file Form I-751 before my card expires?](#)
- [If I am in divorce or in annulment proceedings can I still file Form I-751 without my spouse?](#)
- [What happens to my status if I cannot file Form I-751 because I am in divorce proceedings that have not been completed before my conditional status expires?](#)
- [Can I file Form I-751 if I am overseas when my permanent resident card is about to expire?](#)
- [If I am overseas on military or government orders, do I need to submit photos and fingerprints with Form I-751?](#)
- [Will I receive temporary evidence of my permanent residence while Form I-751 is in process?](#)
- [Do I have to attend an interview for my conditions to be removed from my permanent residence?](#)
- [Will the two-year period as a conditional resident count towards naturalization requirements?](#)
- [How long will it take for Form I-751 to be processed?](#)
- [What if Form I-751 is not decided within the one-year period after I file it?](#)

Eligibility and Evidence Requirements

Who is eligible to apply to remove conditions on his or her permanent residence?

You may apply to remove your conditions on permanent residence if:

- You are still married to the same U.S. citizen or lawful permanent resident after two years (your children may be included in your application if they received their conditional resident status at the same time or within 90 days as you did).
- You are a child and cannot be included in the application of your parents for a valid reason.
- You are a widow or widower of a marriage that was entered in good faith.
- You entered into a marriage in good faith, but the marriage was ended through divorce or annulment.
- You entered into a marriage in good faith, but either you or your child(ren) were battered or subjected to extreme cruelty by your U.S. citizen or lawful permanent resident spouse.
- Deportation or removal from the United States would cause extreme hardship to you.

What application must I file to remove the conditions on my permanent residence?

In order to remove the conditions on your permanent residence, you must file a Petition to Remove the Conditions on Residence (Form I-751).

What initial evidence must I provide to remove conditions?

You must provide the following initial evidence with your I-751:

- A copy of your permanent resident or alien registration card and a copy of the permanent resident or alien registration card of any of your conditional resident children you are including in your petition.
- Evidence of the relationship. Submit copies of documents indicating that the marriage upon which you were granted conditional status was in "good faith" and was not for the purpose of circumventing immigration laws.

What are some examples that demonstrate evidence of relationship?

Some examples of documents that demonstrate evidence of relationship are:

- Birth certificate(s) of child (ren) born to the marriage.
- Lease or mortgage contracts showing joint occupancy and/or ownership of your communal residence.
- Financial records showing joint ownership of assets and joint responsibility for liabilities, such as joint savings and checking accounts, joint federal and state tax returns, insurance policies that show the other spouse as the beneficiary, joint utility bills, joint installments or other loans.
- Other documents you consider relevant to establish that your marriage was not to evade the immigration laws of the United States.
- Affidavits sworn to or affirmed by at least two people who have known both of you since your conditional residence was granted and has personal knowledge of your marriage and relationship.

You should submit copies of as many documents as you wish to establish evidence of relationship and to demonstrate the circumstances of the relationship from the date of the marriage to the present date, and to demonstrate any circumstances surrounding the end of the relationship, if it has ended.

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[Services for Permanent Residents and Naturalization](#)

Is there any additional evidence, aside from evidence of relationship, I must submit with my application?

Yes, you may have to if you are filing for removal of conditions based on one of the situations in the following table:

If you are....	Then also file your petition with the following:
Filing to waive the joint filing requirement due to the death of your spouse,	A copy of your spouse's death certificate.
Filing to waive the joint filing requirement because your marriage has been terminated.	A copy of the divorce decree or other document terminating or annulling the marriage.
Filing to waive the joint filing requirement because you and/or your conditional resident child were battered or subjected to extreme cruelty,	<ul style="list-style-type: none"> ▪ Evidence of the physical abuse, such as: Copies of reports or official records issued by police, judges, medical personnel, school officials, and representatives of social service agencies, and original affidavits. ▪ Evidence of the abuse, such as: Copies of reports or official records issued by police, courts, medical personnel, school officials, clergy, social workers and other social service agency personnel. You may also submit any legal documents relating to an order of protection against the abuser or relating to any legal steps you may have taken to end the abuse. You may also submit evidence that you sought safe haven in a battered women's shelter or similar refuge, as well as photographs evidencing your injuries. ▪ A copy of your divorce decree if your marriage was terminated by divorce on grounds of physical abuse or extreme cruelty.

General Filing Process Questions

Do I need the signature of my spouse to file Form I-751?

In most cases, the signature of the spouse is required; however, it may be possible for you to get a waiver of the joint filing requirement if you qualify based on one of the following circumstances:

- Due to the death of your spouse;
- Your marriage has been terminated;
- You and/or your conditional resident child were battered or subjected to extreme cruelty;
- Termination of your status, and removal would result in "extreme hardship"; or
- A child filing separately from your parent.

When should I file Form I-751?

You must file the Petition to Remove the Conditions of Residence (I-751) within the 90-day period immediately prior to the expiration date that is shown on the conditional residence card.

Is it necessary to file a separate Form I-751 for my child?

If the child entered at the same time as the parent or within 90 days of the parent, a separate I-751 is not needed. If the child entered more than 90 days after the parent, a separate I-751 must be filed for the child.

Please note that each conditional resident listed on your Form I-751 is required to submit a biometric service fee. This biometric service fee is in addition to the base petition fee.

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[Services for Permanent Residents and Naturalization](#)

What if I fail to file Form I-751 before my card expires?

If the I-751 petition is not filed, you will automatically lose your permanent resident status as of the second anniversary of the date on which you were granted this status. You will then be “out of status” and become removable from the United States and you may be placed in removal proceedings before an immigration judge.

If your failure to file was through no fault of your own, you may file your petition late with a written explanation and request that USCIS excuse the late filing. Failure to file before the expiration date may be excused if you demonstrate when you file the application that the delay was due to extraordinary circumstances beyond your control and that the length of the delay was reasonable.

If I am in divorce or in annulment proceedings can I still file Form I-751 without my spouse?

An alien whose conditional resident status is approaching the 2-year anniversary of the grant of such status, but who is unable to file a joint petition to remove the conditions because divorce or annulment proceedings have commenced, may not apply for a waiver of the joint filing requirement based on the “good faith” exception. The waiver of the joint filing requirements only relates to those persons whose marriage has already been terminated. If your marriage is terminated before the expiration of your conditional permanent resident status, you may file the I-751.

What happens to my status if I cannot file Form I-751 because I am in divorce proceedings that have not been completed before my conditional status expires?

If an alien’s conditional resident status is terminated because he or she could not timely file a Form I-751, and he or she is placed in removal proceedings, then he or she may request a continuance from the immigration judge to allow for the finalization of the divorce or annulment proceedings. If you are a conditional resident whose status has been terminated because you could not file the I-751 under these circumstances, you should be issued temporary evidence of permanent residence while your case is before the immigration judge.

Can I file Form I-751 if I am overseas when my permanent resident card is about to expire?

A petition may be filed regardless of whether the permanent resident is physically present in the United States or not. However, if the permanent resident is outside the United States at the time of filing, he or she must return to the United States with his or her spouse and dependent children to comply with biometric requirements and, if necessary, interview requirements. A notice is sent for biometrics soon after receipt of Form I-751, so you should return to the U.S. as quickly as possible.

If I am overseas on military or government orders, do I need to submit photos and fingerprints with Form I-751?

Yes. If you reside overseas on military or government orders, you must submit the following items with Form I-751:

- Two passport-style photos for applicants and dependents, regardless of age; and
- Two completed fingerprint cards (Form FD-258) for applicants and dependents between the ages of 14 and 79. You must indicate your Alien Registration Number (A#) on the fingerprint card and be sure that the completed cards are not bent, folded, or creased. The fingerprint cards must be prepared by a U.S. Embassy or Consulate, USCIS Office, or U.S. Military installation.

Will I receive temporary evidence of my permanent residence while Form I-751 is in process?

If you file your Petition to Remove the Conditions on Residence (I-751) within the required time, USCIS will extend your conditional resident status for up to 12 months from the receipt date while your Form I-751 petition is under review. This extension will come in the form of a notice of action, Form I-797, from the USCIS Service Center where you filed your I-751.

Do I have to attend an interview for my conditions to be removed from my permanent residence?

If it is determined that an interview is required in your case, you will be notified as to where and when to appear. You must attend any interview when directed to do so.

Will the two-year period as a conditional resident count towards naturalization requirements?

Yes. As the spouse of a United States citizen, a permanent resident may apply for naturalization three years following the granting of resident status, which includes the two-year conditional period.

Note: [More information about conditional residence and naturalization](#)

[Back to Removal of Conditions Process](#)

[Services for Permanent Residents and Naturalization](#)

How long will it take for Form I-751 to be processed?

It normally takes one year for the I-751 to be adjudicated. However, this processing time is contingent upon several factors and may be shorter or longer.

Note: As indicated on your Form I-751 receipt notice, once you receive your ASC appointment notice you may [Check your Case Status](#) online. To view the status of your case, enter the application number found at the top of the ASC appointment notice. The I-751 form type will be listed as “CR-I89” under the application type in our case status on-line tool.

What if Form I-751 is not decided within the one-year period after I file it?

If a decision is not made on your Form I-751 within one year after filing it, you should go to your local office (NOT an ASC) to obtain temporary evidence of your permanent resident status. You should take a valid passport with you. If you cannot obtain a valid passport, please take photo identification and two passport style photos with you. After completing a security check, the Immigration Service Officer may stamp your passport or issue you a stamped Form I-94, Arrival/Departure Record, with your photo attached as temporary proof of status. Local offices do not issue temporary permanent resident cards. The local office can only provide you with an ADIT stamp on your passport or issue you an I-94 as temporary proof of status until you receive your permanent resident card.

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Please call our Employer, Business, Investor and School Services (EBISS) line at 1-800-357-2099 for more information about removing conditional residence based on being an entrepreneur.

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Services for Permanent Residents and Naturalization

If you need to update information on your card, such as changing your name, or you need to replace your card or have turned 14 since your last card was issued

OVERVIEW

A Permanent Resident Card, commonly known as a Green Card, is evidence of your permanent resident status within the United States. On occasion, it becomes necessary to replace the permanent resident card due to a number of reasons, such as irreparable damage to the card or a change in the cardholder's name.

Replacements are for customers who have a card and need to change information on it, such as a name or date of birth, OR a customer who had a card that has been lost, stolen, or mutilated, OR a customer who has reached the age of 14 since his/her last card was issued. Replacements for customers who are turning 14 must be done BY MAIL ONLY.

How do I replace my Permanent Resident Card?

Note: Please use the following questions to confirm whether you need to file a Form I-90 rather than a Form I-751 or Form I-829.

Is your current permanent resident card valid for two years or ten years?

If your permanent resident card was valid for ten years, please file a Form I-90, and **continue on the next page**. If your permanent resident card was valid for two years, please continue below with the next question.

Is your conditional permanent resident card expiring in the next ninety days or has it already expired?

If your conditional permanent resident card will expire in the next ninety days, or it has already expired, you must file a Form I-751 or a Form I-829. For more information, see the section "[Your card was valid for only two years and is expiring.](#)"

Otherwise, if you need to file a Form I-90 because you did not enter as a conditional permanent resident, or because you are not near or are already within 90 days of the expiration date of your conditional residence, **continue on the next page**.

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[Services for Permanent Residents and Naturalization](#)

File a Form I-90 with USCIS to **replace** your Permanent Resident Card. [Form I-90](#) is available on our web site at www.uscis.gov. If you file Form I-90 by mail, you will need to include supporting evidence, such as a copy of your expired or expiring card. The instructions on the form will give you more details. Since filing procedures recently changed, please review the most recent instructions on our website. If you have questions after you read those instructions, just check our web site or call customer service for more information. E-Filing may also be available for certain customers (not available for those turning 14).

After you file, you will be mailed a notice scheduling you for an appointment at an Application Support Center (ASC) to have your fingerprints, photo and signature taken. If you filed Form I-90 electronically, mail your supporting documentation, such as a copy of your previous card and any additional evidence noted on the appointment notice, to the following address:

National Benefits Center
Attn: E-filed I-90 Application
P.O. Box 25920
Overland Park, KS 66225

Include a copy of your e-filed I-90 confirmation receipt with your supporting documentation.

Note: If you received your Permanent Resident Card with an error on it, please call our toll-free number at 1-800-375-5283 for assistance.

Note: Form I-90 requests the applicant's A#. If you have lost your A#, you need to make an INFOPASS appointment to obtain it.

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[Services for Permanent Residents and Naturalization](#)

Services for Permanent Residents and Naturalization
Helping a Relative Immigrate

OVERVIEW

One of the most common ways people immigrate is based on being the relative of a permanent resident. The process starts when the permanent resident files a relative petition, which is Form I-130. Permanent residents can file for a spouse and unmarried children of any age, but not for other relatives. Filing a relative petition and proving a qualifying relationship registers the relative to immigrate.

[Information about Helping a Relative Immigrate](#)

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For Which Relatives May I File?

Any permanent resident (no age requirement) can file for the following relatives:

(Select the relative you are interested in helping in the chart below to go to a self-guided tour for filing eligibility)

- [Husband or wife](#)
- [Unmarried child\(ren\) under age 21](#)
- [Unmarried sons or daughters age 21 or older](#)

Other General FAQs

- [Is there a guide that welcomes new immigrants to the United States?](#)
- [What does the petition do for my relative?](#)
- [Where do I file the Form I-130?](#)
- [What about other relatives?](#)
- [What about my relative's family?](#)
- [What if my unmarried child gets married?](#)
- [How long after I file the petition can my relative immigrate?](#)
- [How do I file?](#)
- [What happens after I file?](#)
- [Does filing a relative petition commit me to anything?](#)
- [How long will it take USCIS to process my petition?](#)
- [What if I become a U.S. citizen while a relative I petitioned for is waiting for a visa?](#)
- [If my relative is already in the United States, can he/she stay until becoming a permanent resident?](#)
- [What is a priority date and how do they work?](#)
- [What is the Child Status Protection Act and How Does it affect my child?](#)

[FAQs about the USCIS Immigrant Fee](#)

Is there a guide that welcomes new immigrants to the United States?

Yes. There is a [Guide on our website for New Immigrants](#) available in English, Spanish, Chinese, Vietnamese, Korean, Russian, Arabic, Tagalog, Portuguese, French and Haitian Creole.

What does the petition do for my relative?

Filing an I-130 relative petition and proving you have a qualifying relationship gives the relative a place in line for a visa number among others waiting to immigrate based on that same kind of relationship.

Example: You file a petition for your unmarried daughter. When USCIS approves it, your petition gives her a place in line with people from the same country who are also unmarried sons or daughters of permanent residents.

Your relative's place in line is based on the date you file the petition. So there is an advantage to filing as soon as possible.

Where do I file the Form I-130?

A petitioner residing in the United States or Canada should file [Form I-130](#) in accordance with the instructions on the Form I-130.

Note: Effective August 15, 2011, petitioners living abroad in a country **without** a USCIS office must file their petitions with the USCIS Chicago Lockbox, as noted in the instructions to Form I-130.

What about other relatives?

The law limits eligibility to the relatives listed above. We cannot approve a relative petition filed by a permanent resident on behalf of any other relative.

What about my relative's family?

In most cases, when your husband's or wife's place in line is reached and he/she applies to immigrate, his or her unmarried children under 21 can apply as dependents. That means that you do not absolutely need to file a separate petition for each child. However, if the child marries or turns 21 before immigrating, he/she will no longer be eligible as a dependent. So we recommend you consider filing separate petitions for each child. A separate petition keeps the child's place in line among sons and daughters of permanent residents waiting to immigrate.

If your unmarried child has a child, your grandchild can apply for an immigrant visa with your son or daughter as their dependent if your son/daughter remains unmarried and your grandchild remains under age 21 and unmarried.

[Back to Helping a Relative Immigrate](#) [Services for Permanent Residents and Naturalization](#)

What if my unmarried child gets married?

There is no visa category for the married child of a permanent resident. A petition for an unmarried child will normally be automatically revoked if he/she gets married. However, as discussed above, an individual petition can continue to be processed if you become a U. S. Citizen before the child married. If you do become a U.S. citizen before your child is married, the petition will continue to be processed but will move to another visa category as the unmarried son or daughter of a U.S. citizen. After the son or daughter marries, the petition then will move from the unmarried son or daughter of a U.S. citizen visa category to the married son or daughter of a U.S. citizen visa category.

How long after I file the petition can my relative immigrate?

Once your relative petition is approved, it gives your relative a place in line among those waiting to immigrate; the waiting period varies by relationship and country. For most relatives, the combination of high demand and limits set by immigration law regarding how many people can immigrate, this means they may have to wait several years. If you are interested in current wait times, please visit "Visa Bulletins" on the State Department's website at www.travel.state.gov/visa.

How do I file?

Follow the I-130 petition instructions and check our website, for any updates on instructions or fees. Make sure your petition is complete and send it to the specified USCIS Service Center that has jurisdiction over your area of residence. You will need to submit evidence of your permanent residence status and evidence proving your qualifying relationship to each person for whom you are filing.

What happens after I file?

If you filed by mail, we will mail you a receipt so you know we have your petition. If your petition is incomplete, we may have to reject it or ask you for more evidence or information, which will delay processing. Please carefully follow the I-130 instructions and send all required documents the first time to avoid delay.

We will notify you in writing when we make a decision.

- If your relative is already in the United States, he or she may apply to adjust status to become a green card holder (permanent resident) after a visa number becomes available using Form I-485.
- If your relative is outside the United States, your petition will be sent to the National Visa Center (NVC). The NVC will forward your petition to the appropriate U.S. consulate when a visa becomes available and your relative will be notified about how to proceed. You can get more information about immigrant visa processing from the State Department's website at www.travel.state.gov.

Your family member's preference category will determine how long he or she will have to wait for an immigrant visa number.

Does filing a relative petition commit me to anything?

If you decide to sponsor your relative you must file Form I-864, affidavit of support. If you do not meet the requirement you may find a co-sponsor who is willing to make the commitment. Please read carefully the instructions and the obligation of a sponsor before you sign the form.

How long will it take USCIS to process my petition?

Processing time depends on a number of factors. Statistical data is collected for each office and analyzed to make a processing time projection for each application or petition processed at that office. You can check our current [processing times](#) for the office processing your application or petition on our web site under the “TOOLS” tab. This processing time table is updated monthly, typically after the 15th day of the month.

What if I become a U.S. citizen while a relative I petitioned for is waiting for a visa?

If you become a U.S. citizen while your relative is waiting for a visa, you can upgrade your relative's visa classification by upgrading your petition. Spouse and unmarried children under age 21 and parents of U.S. citizens have visas immediately available to them.

- If you become a U.S. citizen after your petition is already approved and sent to the State Department, you should notify the NVC that you have become a U.S. citizen by sending a copy of your naturalization certificate to the NVC. Please include a letter with information regarding your relative and a copy of the petition approval that you wish to upgrade. You can find contact information and mailing instructions for the NVC at http://travel.state.gov/visa/immigrants/info/info_3177.html

If your relative is your spouse and he/she has children who are your stepchildren or adopted, and you did not file separate petitions for them, you must file separate petitions for them now with evidence of your U.S. citizenship.

If my relative is already in the United States, can he or she stay until becoming a permanent resident?

Your approved relative's petition gives your relative a place in line among those waiting to immigrate. It does not let him/her come to the U.S., or remain here until he/she can apply for permanent resident status. If he/she comes or stays without legal status, it will affect his/her eligibility to become a permanent resident when his/her place in line for a visa is reached. He/she should wait outside the United States to immigrate legally.

Introduction to the Child Status Protection Act

On August 6, 2002, President George W. Bush signed the Child Status Protection Act into law. This law allows certain unmarried sons or daughters of United States citizens, permanent residents of the United States, asylees, and refugees to continue to be considered a "child" for purposes of visa availability or other eligibility determinations, even after they turn 21 years old.

Unmarried sons and daughters of permanent residents

- What advantage(s) does the Child Status Protection Act provide to unmarried sons and daughters of permanent residents that are eligible?
- What are the eligibility requirements unmarried sons and daughters of permanent residents must meet in order to qualify for the Child Status Protection Act?
- Must the date the visa becomes available be based on a separate petition filed on behalf of the child?
- How does USCIS determine the age of the unmarried son or daughter of a permanent resident for the purposes of the Child Status Protection Act?
- What is the time limit on the filing period for an immigrant visa for the unmarried son or daughter of a permanent resident before losing this benefit?

Unmarried sons and daughters of permanent residents whose parents later become US citizens

- What benefit does the Child Status Protection Act have for the unmarried sons and daughters of permanent residents who later become US citizens?
- Why would the unmarried sons and daughters of permanent residents who later become US citizens elect not to have such a conversion?

Other related Child Status Protection Act questions

- Are derivatives of employment-based and diversity immigrants' eligible for benefits under the Child Status Protection Act?
- How were unmarried sons or daughters of United States citizens, permanent residents of the United States, asylee, and refugees previously treated once they turned 21?

Unmarried sons and daughters of permanent residents

What advantage(s) does the Child Status Protection Act provide to unmarried sons and daughters of permanent residents that are eligible?

The new law allows unmarried sons and daughters of permanent residents to remain in the category of a child of a permanent resident preference. This helps by causing visas to become available much sooner, resulting in accelerated eligibility to apply for adjustment of status earlier than previously possible under immigration law.

What are the eligibility requirements unmarried sons and daughters of permanent residents must meet in order to qualify for the Child Status Protection Act?

To be eligible to maintain consideration in the status as a child of a permanent resident, unmarried sons and daughters of permanent residents must:

- Have been under the age of 21 at the time the immigrant visa becomes available to them,
- Have met the definition of a child at the time the immigrant visa petition was filed,
- Remain unmarried throughout the visa process,
- Apply for the immigrant visa or status within one year from the date a visa became available.

Must the date the visa becomes available be based on a separate petition filed on behalf of the child?

No, the date an immigrant visa becomes available to a child may be based upon a separate petition or may be the date an immigrant visa became available to a parent on whose petition the child is included.

How does USCIS determine the age of the unmarried son or daughter of a permanent resident for the purposes of the Child Status Protection Act?

The age of the son or daughter is determined when the date of immigrant visa availability is reduced by the amount of time the visa petition (I-130) was pending with USCIS. This is especially important for those sons or daughters who are older than 21.

What is the time limit on the filing period for an immigrant visa for the unmarried son or daughter of a permanent resident before losing this benefit?

The unmarried son or daughter of a permanent resident must file for the immigrant visa within one year of visa availability, or he/she will be placed in the preference category of an unmarried son or daughter of a permanent resident.

Unmarried sons and daughters of permanent residents whose parents later become US citizens

What benefit does the Child Status Protection Act have for the unmarried sons and daughters of permanent residents whose parents later become US citizens?

The unmarried son or daughter of a permanent resident who later becomes a U.S. citizen may now elect not to have their preference category converted from second preference to first preference. If the son or daughter elects to do this, he or she will maintain the second preference category of an unmarried son or daughter of a permanent resident as long as they remain unmarried.

Why would the unmarried sons and daughters of permanent residents who later become US citizens elect not to have such a conversion?

When a permanent resident parent becomes a United States citizen after the unmarried son or daughter turns 21 years of age, the son or daughter would automatically become the unmarried son or daughter, over age 21, of a United States citizen. The category of the son or daughter would automatically be converted from second preference to that of first preference, accordingly.

Generally, this automatic conversion would make a visa available much quicker due to the higher preference category. However, due to visa limitations on some countries with high levels of immigration, this has the opposite effect. The reason they may choose not to have this conversion occur is because the visa would take much longer to become available in the first preference category than the second preference category. This means that the unmarried son or daughter of U.S. citizen would take longer to immigrate to the U.S. or to adjust status than had he/she remained in the category of an unmarried son or daughter of a permanent resident.

Other Child Status Protection Act-related questions

Are derivatives of employment-based and diversity immigrants' eligible for benefits under the Child Status Protection Act?

Please call our toll-free number at 1-800-375-5283 for assistance with this question.

How were unmarried sons or daughters of United States citizens, permanent residents of the United States, asylees, and refugees previously treated once they turned 21?

Historically, immigration law has made a significant distinction between an unmarried child who is under age 21 and an unmarried child who turns 21 years old for purposes of visa issuance and other eligibility determinations.

Under immigration law, a child who is unmarried and under age 21 is in a category that makes him or her eligible for a higher consideration for visa availability. Previously, a child who reached age 21 was no longer in the category of a child. The visa eligibility category changed to that of an unmarried son or daughter and the availability of an immigrant visa was reduced. This reduction in availability caused the son or daughter to wait a longer period of time to be eligible to receive a visa simply because he or she turned 21 years old. The Child Status Protection Act was enacted to prevent this from happening in certain circumstances and to continue to keep families united.

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First, determine if the child/son/daughter met or meets the definition of a child under immigration law so you can help the child become a permanent resident.

You, the petitioner, are the:

- [Father](#)
- [Mother](#)

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You are the:

- [Natural Mother](#)
- [Adoptive mother](#)
- [Step-Mother](#)

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Does your name appear on the birth certificate of this child/son/daughter as the natural father?

- [Yes](#)
- [No](#)

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Were you married to this child's mother when the child was born?

- [Yes](#)
- [No](#)

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Do you or did you have evidence that you have maintained a valid parent-child relationship with the child?

- [Yes](#) (You'll need to prove this if you file a petition for the child.)
- [No](#)

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Is this child your stepchild?

- [Yes](#)
- [No](#)

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Did you marry the child's other parent before the child turned 18?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Is this child your adopted child?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Have you legitimated this child under the law of the child's residence or domicile, or under the law of your residence or domicile?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Did this legitimation take place before the child reached the age of 18 years?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Was the child in your legal custody at the time of such legitimation?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Was the adoption finalized before the child turned 16?

- [Yes](#)
- [No](#)

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Was this child the brother or sister of another child you previously adopted while the first child was under 16?

- [Yes.](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Was the adoption of this brother or sister of the first adopted child finalized before this sibling turned 18?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Has the child been in your legal custody for two years?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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Has the child resided with you in your physical custody for two years?

- [Yes](#)
- No. Stepchild does not meet definition of child. [More information about the definition of a child](#)

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In order for you to help your relative become a permanent resident, he/she must have met the definition of “child” under immigration law before he/she was age 21. [Determine whether your relative meets the definition of a child.](#)

If your relative is your brother/sister both you and your brother/sister had to have met [the definition of a child of one common parent.](#)

If your son/daughter/brother/sister does not meet the definition of a child, you will not be able to help him/her become a permanent resident.

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It appears you may want to file a Form I-130 for your relative.

Your family members are not eligible to apply for permanent resident status at the same time you file the Form I-130, regardless of how they entered or their present status in the U.S. because they would be under an immigrant visa category that has limited amounts of visas available. If the Form I-130 is approved, it will be sent to the National Visa Center (NVC). The NVC will pre-process it and forward it to the appropriate U.S. Consulate. [Information about the National Visa Center fee and document collection](#)

The priority date (the filing date of the I-130) must be current before your relative will be eligible to file for an immigrant visa. Visa processing times vary depending upon the visa category and country of origin of the relative. For more information about visa processing and availability, please see the visa bulletin at the State Department's web site at www.state.gov. Once the visa is available, both you and your relative will be notified and your relative will be invited to apply for his/her immigrant visa outside the United States at a U.S. Consulate.

You can download the necessary [Form I-130](#) from our website at www.uscis.gov.

[General FAQs about a permanent resident helping a family member become a permanent resident](#)

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Permanent residents can only file an immigrant visa petition for a spouse or unmarried children. There is no immigrant visa category for any other relative of a permanent resident.

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Temporary Visit

Your relative will need to apply for a visitor's visa at the nearest U.S. Consulate or Embassy unless he/she is eligible for a visa waiver or unless a citizen of Canada.

To assist your relative in obtaining a visitor's visa, you may want to write an "invitation letter". For more information, please see the State Department's website at www.state.gov.

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What is the definition of “child” under immigration law?

Immigration law defines a “child” as a person who is:

1. Unmarried; AND
2. Under age 21 AND
3. One of the below:
 - **BORN TO MARRIED PARENTS**
Born to parents who are married to each other (born in wedlock); OR
 - **BORN OUT OF WEDLOCK**
A child born out of wedlock (the parents were not married at the time the child was born). Note: If the father is filing the petition, proof of a bona fide (real and established) relationship with the father must be supplied; OR
 - **STEPCHILDREN**
A stepchild relationship may exist if the marriage creating the step-relationship took place before the child reached the age of 18; OR
 - **ADOPTED BUT WAS NOT ORPHAN OR DID NOT USE SPECIAL ORPHAN PETITION**
An adopted child (not an orphan or did not use the special orphan petition program) if the child was adopted before the age of 16 and has lived with the adoptive parent(s) in their legal custody for at least two years; OR
 - **ORPHANS:**
 - An orphan under the age of 16 when an adoptive or prospective adoptive U.S. Citizen parent files an orphan petition on his or her behalf, who has been adopted abroad by a U.S. citizen or is coming to the U.S. for adoption by a U.S. citizen; OR
 - An adopted orphan who is under the age of 18 and the natural sibling of an orphan or adopted orphan child under the age of 16, if adopted with or after the sibling.

Services for Permanent Residents and Naturalization

Helping a Relative Immigrate and Financially Sponsoring an Immigrating Alien

Information about the USCIS Immigrant Fee

OVERVIEW

Effective February 1, 2013, USCIS will collect a \$165 Immigrant Visa DHS Domestic Processing Fee (USCIS Immigrant Fee) from individuals who have been issued immigrant visas by the U.S. Department of State and who are applying for admission to the U.S. USCIS established this fee to recover the costs associated with processing, filing, and maintaining the immigrant visa package, and producing and mailing required documents.

General FAQs

- [What is the Immigrant Visa DHS Domestic Processing Fee \(USCIS Immigrant Fee\)?](#)
- [Who has to pay the USCIS Immigrant Fee?](#)
- [When will the USCIS Immigrant Fee take effect?](#)
- [When and how should the fee be paid?](#)
- [Can check payments be from an overseas bank?](#)
- [If the immigrant visa holder does not have a checking account, debit, or credit card, or is otherwise unable to pay the fee, may I pay on their behalf?](#)
- [Can my employer or attorney open a USCIS ELIS account and pay my USCIS Immigrant Fee?](#)
- [If the immigrant visa is issued before February 1, 2013, but the immigrant visa holder did not apply for admission to the U.S. until after February 1, 2013, will the immigrant visa holder have to pay the fee?](#)
- [What happens if the fee is not paid?](#)
- [Who is exempt from paying the immigrant fee?](#)
- [Can I mail payment of the USCIS Immigrant Fee to a USCIS office?](#)
- [How can I obtain case status updates after paying for the Permanent Resident Card for myself or my family member\(s\)?](#)
- [How can my spouse or child obtain case status updates on their Permanent Resident Card?](#)
- [May I pay for my family member if I have already paid my USCIS Immigrant Fee in USCIS ELIS?](#)
- [Where can I get more information about the USCIS Immigrant Visa Fee?](#)

Additional FAQs continue on the next page

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Additional USCIS Immigrant Fee FAQs

- [What happens if I lose my copy of the payment receipt? Can I get another copy?](#)
- [What if the fee is not paid? Will USCIS hold production of the Permanent Resident Card until the fee is paid?](#)
- [Does the fee have to be paid for each individual issued a visa or just for the individual on whose behalf an immigrant visa petition was filed? If I file an immigrant visa petition for my relative who has dependent children, will the fee have to be paid for each of the dependents as well?](#)
- [I am trying to pay the USCIS Immigrant Fee and am unable to type in my Case ID Number on the fee payment form on the USCIS ELIS website. What should I do?](#)
- [Will the immigrant receive proof of permanent resident status when entering the U.S.?](#)
- [Can the immigrant fee be waived?](#)
- [Is a Spanish version of the USCIS ELIS website available?](#)
- [I don't have a Case ID Number or an Alien Registration Number \(A-Number\). What should I do?](#)
- [I received a letter titled "Permanent Resident Card Processing Payment" from the Texas Service Center. Why was this letter sent to me?](#)
- [My mailing address is different from the address I provided the Department of State of U.S. Customs and Border Protection. How do I update the address to which my Permanent Resident Card is mailed?](#)
- [Do I have to pay for a replacement Permanent Resident Card if I previously paid the USCIS Immigrant Fee but have not yet received my card?](#)

Note: If you have questions about using ELIS, please go back to the main page and refer to the Guide titled "Getting Ready to File" and see the ELIS Chapter.

What is the Immigrant Visa DHS Domestic Processing Fee (USCIS Immigrant Fee)?

The USCIS Immigrant Fee is a fee of \$165 that USCIS established to cover the costs associated with processing, filing, and maintaining the immigrant visa package, and producing and mailing required documents (such as a Permanent Resident Card).

Who has to pay the USCIS Immigrant Fee?

Individuals who have been issued immigrant visas by the U.S. Department of State and are applying for admission to the U.S. need to pay this fee.

The following immigrants are exempt from paying the immigrant fee:

- children who enter the United States under either the Orphan or Hague adoption programs;
- Iraqi and Afghan special immigrants;
- returning residents (SB-1s); and
- those issued K visas.

When will the USCIS Immigrant Fee take effect?

Effective February 1, 2013, USCIS will collect the USCIS Immigrant Fee from individuals who have been issued immigrant visas by the U.S. Department of State.

When and how should the fee be paid?

Immigrant visa holders applying for admission to the U.S. must pay the USCIS Immigrant Fee by going online at www.uscis.gov/uscis-elis and linking to USCIS ELIS to answer some questions and provide their checking account, debit, or credit card information.

Immigrant visa holders must submit payments online after they receive their immigrant visa package from the U.S. Department of State (DOS). DOS will issue the applicant:

- A USCIS handout which will include the immigrant visa holder's Alien number and Case ID number; and
- Instructions on how to submit payment.

Payment should be made before traveling to the U.S.

Immigrant visa holders should keep a copy of their receipt for their records.

Please visit our Web site at www.uscis.gov/immigrantfee and www.uscis.gov/uscis-elis for more information about the fee.

Note: If you have questions about using ELIS, please go back to the main page and refer to the Guide titled "Getting Ready to File" and see the ELIS Chapter.

Can check payments be from an overseas bank?

No. Check payments must be drawn on a U.S. bank.

If the immigrant visa holder does not have a checking account, debit, or credit card, or is otherwise unable to pay the fee, may I pay on their behalf?

You may only pay the USCIS Immigrant Fee for those family members who will be or have immigrated with you to the United States and will be living in the same household with you. You will need your family member's A-number and Department of State (DOS) Case ID.

Can my employer or attorney open a USCIS ELIS account and pay my USCIS Immigrant Fee?

No, your employer/attorney is not authorized to create an USCIS ELIS account on your behalf. Only you, as the immigrant, may open a USCIS ELIS account. Once the account is created the USCIS Immigrant Fee can be paid.

If the immigrant visa is issued before February 1, 2013, but the immigrant visa holder did not apply for admission to the U.S. until after February 1, 2013, will the immigrant visa holder have to pay the fee?

No. Immigrant visa holders are not required to pay the USCIS Immigrant Fee if the U.S. Department of State issued their Immigrant Visa before February 1, 2013.

What happens if the fee is not paid?

USCIS will not issue a Permanent Resident Card (Form I-551) to an individual who is subject to the USCIS Immigrant Fee until the individual has paid the fee.

Who is exempt from paying the immigrant fee?

The following immigrants are exempt from paying the immigrant fee:

- children who enter the United States under either the Orphan or Hague adoption programs;
- Iraqi and Afghan special immigrants;
- returning residents (SB-1s); and
- those issued K visas.

Can I mail payment of the USCIS Immigrant Fee to a USCIS Office?

No. USCIS only accepts payment of the USCIS Immigrant Fee online through USCIS ELIS. USCIS **will not** accept payments via mail.

How can I obtain case status updates after paying for the Permanent Resident Card for myself or my family member(s)?

If you paid your USCIS Immigrant Fee or a family member's, you can track the status of your case and the family member's case by taking the following steps:

- 1) Access USCIS ELIS at www.uscis.gov/uscis-elis.
- 2) Select the **"View My Case"** tab.
- 3) Navigate to the **"Select Case to View Status"** drop down menu.
- 4) Choose the case from the drop down menu.

Please note: you will not be able to track your family member's status if he/she set up a personal account in USCIS ELIS after the fee was paid.

How can my spouse or child obtain case status updates on their Permanent Resident Card?

If you paid your family member(s) USCIS Immigrant Fee through USCIS ELIS you will receive an electronic USCIS Immigrant Fee Online Account Access Code Notice(s), as well as an electronic Case Receipt Notice, for each family member. Each family member may create his or her own USCIS ELIS account to track the case status of their own case by taking the following steps:

- 1) Access USCIS ELIS at www.uscis.gov/uscis-elis.
- 2) Select **"Create a New Account"** and follow corresponding instructions.
- 3) Once the account is created, return to the USCIS ELIS home page and select the **"View My Profile"** tab.
- 4) Enter your USCIS ELIS Account ID.
 - You can find the Account ID number on your Case Receipt Notice.
 - The Case Receipt Notice is available under **"Messages"** in the USCIS ELIS account of the family member who paid the USCIS Immigrant Fee.
- 5) Enter your case sensitive Online Account Access Code. This can be found on your **"USCIS Immigrant Fee Account Online Access Code Notice."**

May I pay for my family member if I have already paid my USCIS Immigrant Fee in USCIS ELIS?

Yes, you can pay for a family member after you have paid for yourself by taking the following steps:

- 1) Access USCIS ELIS at www.uscis.gov/uscis-elis.
- 2) Select "Apply Online." You will need your family member's Alien Registration Number (A-Number) and Department of State (DOS) Case ID.
- 3) Select the "Add Family Member" button on the About You screen.
- 4) Enter the family member's last name, first name (given name), and middle name, if applicable.
- 5) Enter the family member's A-Number and DOS Case ID
- 6) Enter the date of birth and country of birth.
- 7) Select the "Next" button on the About You screen.
- 8) View the Summary Review screen and select the "Next" button on the screen
- 9) Review the Payment screen and select "Next."
- 10) Enter your payment information and select "Continue with ACH Payment" or "Continue with Plastic Card Payment," as applicable.

Where can I get more information about the USCIS Immigrant Visa Fee?

For more information about the fee, please visit our Web site at www.uscis.gov/immigrantfee where a News Release and a detailed payment Web page, including a set of questions and answers about the USCIS Immigrant fee, are available. Also, please visit www.uscis.gov/uscis-elis.

What happens if I lose my copy of the payment receipt? Can I get another copy?

If you paid the immigrant fee using Pay.gov prior to May 20, 2013, receipts cannot be re-generated. After submission you would obtain payment confirmation based on the charge being posted to your account. If you need to provide evidence of payment, please make an INFOPASS appointment on our Website at www.uscis.gov to speak with an Immigration Services Officer. At the INFOPASS appointment, you can provide a copy of your credit card statement, bank statement, or processed check that was used for payment.

If you paid the immigrant fee using USCIS ELIS after May 20, 2013, you can log back into your account in USCIS ELIS where you paid the fee and print another copy of the payment confirmation.

What if the fee is not paid? Will USCIS hold production of the Permanent Resident Card until the fee is paid?

The Permanent Resident Card is not produced until USCIS receives the immigrant fee. USCIS will issue two Requests for Evidence (RFE) to advise you that the fee has not been received: the first RFE will be sent after 45 days of non-receipt of payment and the second RFE will be sent after 90 days have passed without receipt of payment.

Does the fee have to be paid for each individual issued a visa or just for the individual on whose behalf an immigrant visa petition was filed? If I file an immigrant visa petition for my relative who has dependent children, will the fee have to be paid for each of the dependents as well?

Yes. The fee must be paid for each recipient of a Department of State Immigrant Visa who applied for admission to the United States. The immigrant fee would have to be paid for the relative and for each dependent.

You must provide the Alien Registration Number or A-Number and the Department of State Case ID Number assigned to you and each family member you are paying for. Please be sure to correctly enter the A-Number and Department of State Case ID Number in USCIS ELIS. You can pay for multiple family members by clicking the "Add Family Member" button.

I am trying to pay the USCIS Immigrant Fee and am unable to type in my Case ID Number on the fee payment form on the USCIS ELIS website. What should I do?

The Case ID Number can be found on the Immigrant Data Summary Sheet stapled to the front of the immigrant visa package you received with your visa. The number begins with three or four letters indicating the consulate or embassy followed by a series of numbers. Additionally, at the time of your interview at the U.S. Embassy or Consulate, the DOS interviewing officer provided you with a USCIS handout that informed you of the need to pay the immigrant fee and included your A-Number and Case ID Number.

If the fee payment form will not accept your Case ID Number, USCIS should be able to process your payment if the correct Alien Registration Number or A-Number assigned to the individual on the transaction is entered. Please be sure to enter the A-Number correctly when paying the fee. If you are paying the fee on behalf of multiple family members, ensure that the A-Number for each individual is captured correctly.

Will the immigrant receive proof of permanent resident status when entering the U.S.?

Yes. The immigrant will receive an ADIT stamp upon entry that will serve as proof of permanent resident status for up to one year or until their card is received. While waiting for your permanent resident card, this stamp can also be used for re-entry when returning to the United States from overseas travel and for evidence of work authorization in the United States.

Can the immigrant fee be waived?

No, there is no waiver available for the immigrant fee.

Is a Spanish version of the USCIS ELIS website available?

No. The USCIS ELIS website is only available in English.

I don't have a Case ID Number or an Alien Registration Number (A-Number). What should I do?

Your Case ID Number and Alien Registration Number (A-Number) can be found on the Immigrant Data Summary Sheet stapled to the front of the immigrant visa package you and any accompanying family members received with your visa from the Department of State (DOS), US Embassy or Consulate. If you did not receive an Immigrant Data Summary Sheet with your visa packet, please request this sheet from the U.S. Embassy or Consulate that issued you the visa. Each individual family member will be provided a separate sheet. Additionally, at the time of your interview at the U.S. Embassy or Consulate, the DOS interviewing officer provided you with a USCIS handout that informed you of the need to pay the immigrant fee and included your A-Number and Case ID Number.

Your A-Number can also be found on your passport next to your admission stamp. If you are still unable to locate your A-Number, you may make an appointment to visit your local USCIS office. The Immigration Services Officer at the local office can provide you with your A-Number. You can schedule the appointment yourself by using [INFOPASS](#) on our website at www.uscis.gov.

I received a letter titled “Permanent Resident Card Processing Payment” from the Texas Service Center. Why was this letter sent to me?

This letter was sent to inform you that the processing of your Permanent Resident Card has been suspended because USCIS does not have a record of payment of the \$165 USCIS Immigrant Fee. For more information about the USCIS Immigrant Fee and how to pay the fee, please visit our website at www.uscis.gov/immigrantfee and www.uscis.gov/uscis-elis.

If you have already paid the immigrant fee on the Pay.gov website before May 20, 2013, please follow the instructions in the letter and mail a copy of the letter and a copy of your payment receipt from Pay.gov to the Texas Service Center address noted in the letter.

If you have already paid the immigrant fee on the USCIS ELIS website after May 20, 2013, you can log back into your account on USCIS ELIS where you paid the fee and print another copy of your payment confirmation.

My mailing address is different from the address I provided the Department of State or U.S .Customs and Border Protection. How do I update the address to which my Permanent Resident Card is mailed?

If you have a different mailing address, you may update it online through your USCIS ELIS account.

Do I have to pay for a replacement Permanent Resident Card if I previously paid the USCIS Immigrant Fee but have not yet received my card?

If you need a replacement card, please see information on Form I-90, Application to Replace Permanent Resident Card.

Services for Permanent Residents and Naturalization

Changing Your Address with USCIS

OVERVIEW

Every permanent resident must notify USCIS when they move. This requirement is fulfilled by completing and submitting Form AR-11. However, completing the AR-11 does not update the address on any application or petition that may be pending with USCIS; it only allows the alien to meet the legal requirements of keeping USCIS informed of an address change. To ensure that applicants receive all notices, requests, and documents related to any case pending with USCIS, applicants still need to notify USCIS in a separate method to update the address on that pending application.

For more in depth information about changing your address, choose the scenario below that most closely matches your situation. You are a Permanent Resident and you:

- If you have an application or petition pending with USCIS, please call our toll-free number: 800-375-5283.
- You do NOT Have an Application or Petition Pending with USCIS and You [Have Not Filed an I-864, Affidavit of Support, on behalf of someone who is or has immigrated](#)
- You do NOT Have an Application or Petition Pending with USCIS and You [Have Previously Filed an I-864, Affidavit of Support, to Financially Sponsor someone else](#)

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Change of Address for Non-U.S. Citizen Who Does Not Have any Applications or Petitions Pending with USCIS and Who Has Not Filed an Affidavit of Support

Except for "A" and "G" Nonimmigrants, aliens in the United States for 30 days or longer are required by law to inform USCIS of any address change within 10 days of the permanent change of address. To meet this legal requirement, they must complete and submit a Form AR-11 to USCIS within 10 days from the date the permanent move is completed. The AR-11 is available from our website at www.uscis.gov.

Therefore, any person who is not a United States citizen and who is age 14 or older and in the United States for 30 days or longer (except "A" or "G" Nonimmigrants) and who does not have any applications or petitions with USCIS MUST STILL COMPLETE AND SUBMIT FORM AR-11 within 10 days from the date the permanent move is completed. [Form AR-11](#) is available from our website at www.uscis.gov.

Change of Address for Non-U.S. Citizen Who Does Not Have any Applications or Petitions Pending Has Filed an I-864 Affidavit of Support

A person who is not a United States citizen and who has filed an I-864, Affidavit of Support, on behalf of another alien who, as a result, obtained lawful permanent resident status, must keep USCIS informed of any address change by completing and submitting a Form I-865.

In addition, to the Form I-865, any person who is not a United States citizen who is age 14 or older and in the United States for 30 days or longer (except "A" or "G" Nonimmigrants) is required by law to inform USCIS of any address change within 10 days of completing a permanent change of address. To meet this legal requirement, he/she must also complete and submit a Form AR-11 to USCIS within 10 days from the date the permanent move is completed.

A permanent resident who sponsors an alien by completing and submitting a Form I-864 must keep USCIS informed of his/her address during the time the sponsor's support obligation under the affidavit of support remains in effect. If the sponsor's address changes, he/she must file [Form I-865](#), Sponsor's Notice of Change of Address, with USCIS no later than 30 days after the change of address becomes effective.

FAQs concerning the I-865:

- [What is the purpose of the Form I-865?](#)
- [Where do I file my change of address notification?](#)
- [What are the penalties associated with not filing the Form I-865?](#)

What is the purpose of the Form I-865?

This form is used to report the sponsor's new address and/or residence within 30 days of the change, as required by USCIS.

Where do I file my Form I-865?

Please see the instructions for Form I-865.

What are the penalties associated with not filing the Form I-865?

If the sponsor fails to file the change of address, he/she is subject to a civil penalty ranging from \$250 to \$2,000 unless the sponsor knew that the sponsored immigrant had received means-tested public benefits, in which case the fine will range from \$2,000 to \$5,000.

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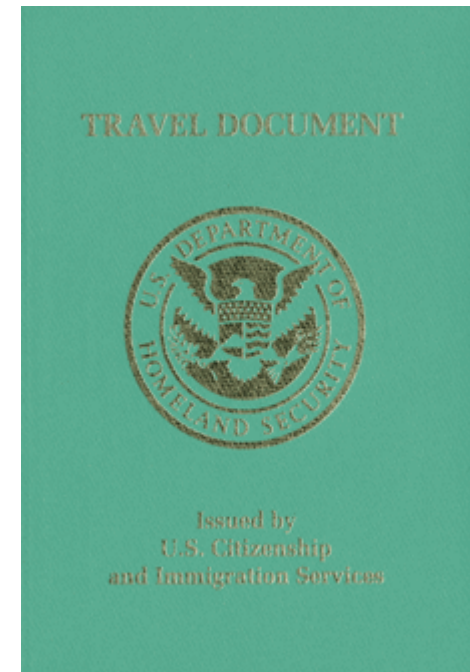
SAMPLE REDESIGNED I-551 PERMANENT RESIDENT CARD PRODUCED FROM MAY 2010 TO THE PRESENT



SAMPLE I-551 PERMANENT RESIDENT CARD PRODUCED FROM DECEMBER 1997 TO MAY 2010



The Reentry Permit contains a digitized photograph and many of the security features of a passport. Visas and entry/exit stamps may be applied to the blank pages.



Services for Permanent Residents and Naturalization	
Information about other Benefits and Services for Permanent Residents	

[Information about how to financially sponsor someone for immigration](#)

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Under the law, every person who immigrates based on a relative petition must have a financial sponsor. If you choose to sponsor your relative's immigration by filing a **Form I-130**, *Petition for Alien Relative*, when the time comes for actual immigration you must agree to be the financial sponsor and file an affidavit of support. If you do not meet the financial qualifications at that time, you must still file a **Form I-864**, *Affidavit of Support*, and accept responsibility, but you and your relative must also find other individuals who meet the requirements and are willing to make this commitment and also file a Form I-864, Affidavit of Support.

FAQs related to [Form I-864](#), the Affidavit of Support:

- [What is the purpose of the affidavit of support?](#)
- [Who has to have an affidavit of support in order to immigrate?](#)
- [What are the financial qualifications for an Affidavit of Support?](#)
- [I filed the I-130 Immigrant Petition for my Relative, but I do not meet the minimum income requirement. Can anyone else be a financial sponsor?](#)
- [Someone has asked me to be a financial sponsor because they don't meet the minimum income requirement. What can I do?](#)
- [When and how do I file the Affidavit of Support?](#)
- [Do I need to notify USCIS if I move?](#)
- [What if a person I financially sponsor only gets public benefits after becoming a permanent resident?](#)
- [When does my financial responsibility end?](#)
- [Should I file Form I-864 or Form I-134? What is the difference?](#)

For further information concerning supporting evidence to submit to satisfy the minimum income requirements, please see the instructions to [Form I-864](#).

What is the purpose of the affidavit of support?

The affidavit of support helps ensure that new immigrants will not need to rely on public benefits such as Food Stamps, Medicaid, Supplemental Security Income (SSI), and Temporary Assistance to Needy Families. If a person for whom you file an affidavit of support becomes a permanent resident and is later given certain public benefits, the agency that gave the benefits can require that you repay that money.

Who has to have an affidavit of support in order to immigrate?

Anyone applying to be a permanent resident through a family member must have a sponsor. A sponsor is also required for a family member coming to work for a relative, or for a company in which a relative owns 5 percent or more of the company.

The person filing the petition sponsoring the person's immigration must file an affidavit of support. If he/she does not, their sponsorship is not complete, and the person will not be given permission to immigrate based on that petition.

What are the financial qualifications for an Affidavit of Support?

The law requires a sponsor to prove an income level at or above 125% of the Federal poverty level. (For active duty military personnel, the income requirement is 100% of the poverty level when sponsoring his/her husband, wife or children.) If your income does not meet the requirement, your assets, such as checking and savings accounts, stocks, bonds, or property, may be considered in determining your financial ability. Federal poverty levels are updated each year. You can check the current poverty guidelines by downloading Form I-864P, Poverty Guidelines, from www.uscis.gov.

I filed the I-130 Immigrant Petition for my Relative, but I do not meet the minimum income requirement. Can anyone else be a financial sponsor?

If you do not meet the financial qualifications, the income of certain other household members can be added in to your income level if they sign a contract on [Form I-864A, Affidavit of Support Contract Between Sponsor and Household Member](#), agreeing to make their income and/or assets available to support the relative applying for permanent residence.

If you still cannot meet the financial qualifications; another person must complete a separate Form I-864, Affidavit of Support, to become a joint financial sponsor of the person's immigration. The joint sponsor must meet all sponsorship requirements separately, including the minimum income requirements for his/her household, and must be willing to assume, along with you, financial liability for the sponsored immigrant(s).

All sponsors must be U.S. citizens or permanent residents, be at least 18, and be living in the United States (including territories and possessions) when they file the affidavit of support.

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Someone has asked me to be a financial sponsor because they don't meet the minimum income requirement. What can I do?

Anyone applying to be a permanent resident through a family member must have a sponsor. A sponsor is also required for a family member coming to work for a relative, or for a company in which a relative owns 5 percent or more of the company. If the petitioner does not meet the financial qualifications, the income of certain other household members can be added into the income level of the petitioner if that household member signs a contract on **Form I-864A, Affidavit of Support Contract Between Sponsor and Household Member**, agreeing to make their income and/or assets available for the support of the petitioner's relative applying for permanent residence. If the petitioner still cannot meet the financial qualifications, another person will need to complete a separate Form I-864, Affidavit of Support, to become a joint financial sponsor of the petitioner's relative.

If you choose to become the joint sponsor, you must meet all sponsorship requirements separately, including the minimum income requirements for your household, and must be willing to assume, along with the petitioner, financial liability for the sponsored immigrant.

All sponsors must be U.S. citizens or permanent residents, be at least 18, and be living in the United States (including territories and possessions) when they file the affidavit of support.

When and how do I file the Affidavit of Support?

You do not need to file Form I-864 with the relative petition. When the person reaches the head of the line to immigrate based on your I-130 petition (which often will be years after the petition was filed), he or she will have to submit the affidavit of support with an application for an immigrant visa or to adjust status to permanent resident. At that time, just follow the instructions for the affidavit and submit all the necessary supporting documents with the immigrant visa application or application for permanent residence.

Do I need to notify USCIS if I move?

If you financially sponsor someone, you are legally required to keep USCIS informed of your address until your financial responsibility ends. If you change your address, you will need to file [Form I-865, Sponsor's Notice of Change of Address](#), within 30 days after the date you move. Please read the instructions on the form carefully.

What if a person I financially sponsor only gets public benefits after becoming a permanent resident?

If a sponsor does not provide basic support to the immigrants as agreed, the sponsored immigrant or the Federal or State agency that gave the benefits to the family members can seek reimbursement of the funds through legal action against the sponsor.

When does my financial responsibility end?

An affidavit of support is enforceable against the sponsor until the person they sponsored either:

- Becomes a U.S. citizen; or
- Is credited with 40 quarters of work in the U.S. (usually 10 years); or
- Leaves the United States permanently; or
- Passes away.

Should I file Form I-864 or Form I-134? What is the difference?

If the beneficiary is seeking admission or adjustment as a permanent resident based on immediate relative status, is another family-based immigrant, or is seeking admission based on certain categories of employment-based immigration, Form I-864 is the appropriate form to file. Form I-134 may be used in any case where the beneficiary is inadmissible on public charge grounds but is not required to have an I-864 filed on his/her behalf. Do NOT use Form I-134 if the person you are sponsoring is required to have form I-864 instead. Please refer to the instructions of the primary petition and carefully follow them. The instructions will make clear which form needs to be filed.

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Priority Dates

- [What is a priority date?](#)
- [How do priority dates work?](#)
- [What establishes a priority date?](#)
- [How do priority dates work for categories that do not have numerical limits on how many people can immigrate?](#)
- [Are priority dates used for the Diversity Visa Lottery?](#)
- [What priority dates are being processed now?](#)
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- [Once the priority date becomes current, and the beneficiary is an unmarried son or daughter who can still meet the definition of child under the Child Status Protection Act \(CSPA\), what is the time limit on the filing period for an immigrant visa or application for permanent resident for the unmarried son or daughter of a permanent resident before they lose this benefit?](#)
- [Do priority cut-off dates move forward at a steady rate?](#)
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- [Can I automatically get priority cut-off date information in the future?](#)
- [Can I get priority cut-off date information for prior months?](#)
- [I am a green card holder and I petitioned for my child when the visa bulletin was “current.” Is my child eligible to receive a retroactive visa benefit?](#)
- [How often do the family-based visa categories become current?](#)

Priority dates

What is a priority date?

Priority dates are numerical limitations (preference) assigned to eligible applicants seeking to immigrate to the United States. This is solely due to the maximum number of visas issued per fiscal year that are divided into family sponsored, employment based, and diversity immigration.

Note: Fiscal year is from October 1 through September 30.

In most immigrant categories, the law limits how many people can immigrate each year. Often the demand to immigrate is greater than the limit allowed per year.

Priority dates are used to make sure that each eligible person within an immigrant category is considered in chronological order. In other words, a priority date is the person's place in line to immigrate.

How do priority dates work?

If your immigrant visa category is that of an immediate relative, your case and priority date is automatically current.

If your immigrant visa category is one of the family sponsored or employment based categories, a waiting list has been established based on your priority date. The priority cut-off dates are established by the Department of State Visa Office to determine when your petition will be reached for continued processing. The petition can only become current, and thus ready for further processing, when the priority cut-off date for your category has advanced up to your priority date.

How do priority dates work for categories that do not have numerical limits on how many people can immigrate?

For immigrant visa categories with no numerical limit, such as immediate relatives of a United States citizen, the priority date simply helps ensure chronological processing.

- When the immigrant petition is approved for a person outside of the United States, USCIS automatically forwards the approved petition to the Department of State National Visa Center.
- After the Department of State National Visa Center completes initial visa processing, it will send a packet of forms to the petition beneficiary for completion and submission to the United States Consulate or Embassy.
- If the petition beneficiary is already in the United States, he or she may be eligible to apply for permanent resident status in the United States.

What establishes a priority date?

For most immigrant visa categories, the priority date is the date the approved petition was received by USCIS. This date should be shown on the approval notice that USCIS sends to the person or company that filed the petition.

Are priority dates used for the Diversity Visa Lottery?

Priority dates are not used for the Diversity Visa Lottery. Each year the Department of State opens a registration period for the Diversity Visa Lottery for a designated year. The registration number is based on the country the person is from and the specific date and time of registration. The registration number is only good for the Diversity Visa Lottery program for that designated year. If a person does not receive an immigrant visa through the Diversity Visa Lottery for that designated year, he or she can register again during the next open period for the next designated Diversity Visa Lottery.

What priority dates are being processed now?

[Check the U.S. Department of State's visa availability bulletin.](#)

Why do priority cut-off dates often differ by country?

Priority cut-off dates often differ by country because the law places limits on how many people from any one country can immigrate each year so people from all over the world have a chance to immigrate. This can mean that if you are from a country with a high demand to immigrate, there can be a longer waiting period.

Does a priority cut-off date mean that everyone with an earlier priority date has already completed processing?

The priority cut-off date does not mean that everyone with an earlier priority date has completed processing. The cut-off date is based on a projection of how many people will complete processing and be issued an immigrant visa or otherwise be granted permanent residence. Once the packet of forms is sent requesting all the documentation for issuance of an immigrant visa, applicants gather the documents at their own initiative and convenience.

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What happens when my priority date is reached?

When the priority cut-off date for your immigrant visa category passes your priority date, the Department of State National Visa Center will send you a packet of forms to be completed and submitted for an immigrant visa.

If you are in the United States when your priority date becomes available, you may be eligible to apply for permanent resident status in the United States.

Once the priority date becomes current, and the beneficiary is an unmarried son or daughter who can still meet the definition of child under the Child Status Protection Act (CSPA), what is the time limit on the filing period for an immigrant visa or application for permanent resident for the unmarried son or daughter of a permanent resident before they lose this benefit?

The unmarried son or daughter of a permanent resident who meets the definition of a child under the CSPA must file the immigrant visa within one year of visa availability, or they will be placed in the preference category of an unmarried son or daughter of a permanent resident who no longer meets the definition of a child under the CSPA.

Do priority cut-off dates move forward at a steady rate?

The priority cut-off dates move forward as the requests for immigrant visas are processed within a category. Fluctuations in demand can speed up or slow down the movement of priority cut-off dates, so it is natural for the rate at which a cut-off date moves to vary.

- Sometimes the priority cut-off dates can move faster than the calendar, but for many oversubscribed categories it often moves slower. The more demand, the slower the movement.
- While it is rare, sometimes a priority cut-off date can regress – which means move backward. This can happen for a variety of reasons due to fluctuations in demand and immigrant visa issuance.

Can you estimate how long it may be before a priority cut-off date will be reached?

There are too many variables to give you a precise projection of when a priority cut-off date will be reached. If you will be applying for an immigrant visa when your priority date becomes available, you will automatically be mailed a packet of forms from the Department of State National Visa Center. If you wish, you can also monitor the movement of the priority cut-off dates.

Note: Please call our toll-free number at 1-800-375-5283 for assistance or the information can also be accessed as follows:

- Department of State website at www.travel.state.gov and obtain the Visa Bulletin for the current month; or
- Call the visa priority line at 1-202-663-1541

Is there a way for a person to immigrate sooner instead of waiting for a priority date to be available?

Under the law, each person must be processed in chronological order.

There is no way to take a petition and expedite it ahead of others in the same immigrant visa category that has an earlier priority date.

Can I automatically get priority cut-off date information in the future?

Priority cut-off date information can be provided automatically by being placed on the Department of State's e-mail subscription list for the Visa Bulletin by providing your e-mail information to the following email address:

VISABULLETIN@STATE.GOV

There are other non-automated ways to receive the visa priority cut-off date information monthly direct from the Department of State:

- **Internet-** Access the Department of State website at www.travel.state.gov and from the home page select the Visa Services section, which contains the Visa Bulletin.
- **Fax-** From a fax phone, dial 202-647-3000, and then follow the prompts and enter the 4-digit code listed in catalog one to have each bulletin faxed.
- **Phone-** The Department of State also has available a recorded message with visa cut-off dates, which can be heard at 202-663-1541. The recording is normally updated by the middle of each month with information on cut-off dates for the following month.

Can I get priority cut-off date information for prior months?

The Department of State is responsible for administering the numerical limitations on visa issuance.

For an archive of priority cut-off dates for earlier months, access the Department of State Bureau of Consular Affairs website at www.travel.state.gov.

I am a green card holder and I petitioned for my child when the visa bulletin was “current.” Is my child eligible to receive a retroactive visa benefit?

No. The U.S. Department of State determines the monthly cut-off for available visas and the dates change; they often move forward but sometimes they regress. You will have to wait until your priority date is earlier than the visa bulletin cut-off date.

How often do the family-based visa categories become current?

The U.S. Department of State determines the availability of visas and provides a monthly updated visa bulletin. In some categories, the wait can be many years. To view the updated visa bulletin, please visit the Department of State's website at www.travel.state.gov/visa and select the “visa bulletin” link on the left-hand side of the webpage.

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Services for Permanent Residents and Naturalization

Information about Same-sex Marriage

FAQs about Same-sex Marriage

Petitioning for my Spouse

- [I am a U.S. citizen or lawful permanent resident in a same-sex marriage to a foreign national. Can I now sponsor my spouse for a family-based immigrant visa?](#)
- [I am a U.S. citizen who is engaged to be married to a foreign national of the same sex. Can I file a fiancé or fiancée petition for him or her?](#)
- [My spouse and I were married in a U.S. state that recognizes same-sex marriage, but we live in a state that does not. Can I file an immigrant visa petition for my spouse?](#)

Applying for Benefits

- [Do I have to wait until USCIS issues new regulations, guidance or forms to apply for benefits based upon the Supreme Court decision in *Windsor*?](#)
- [My Form I-130, or other petition or application, was denied on or after February 23, 2011 solely because of DOMA. What should I do?](#)
- [My Form I-130, or other petition or application, was denied before February 23, 2011 solely because of DOMA. What should I do?](#)

Changes in Eligibility Based on Same Sex

- [What about immigration benefits other than for immediate relatives, family-preference immigrants, and fiancés or fiancées? In cases where the immigration laws condition the benefit on the existence of a “marriage” or on one’s status as a “spouse,” will same-sex marriages qualify as marriages for purposes of these benefits?](#)
- [If I am seeking admission under a program that requires me to be a “child,” a “son or daughter,” a “parent,” or a “brother or sister” of a U.S. citizen or of a lawful permanent resident alien, could a same-sex marriage affect my eligibility?](#)

FAQ's continue on the next page

Residency Requirements

- [Can same-sex marriages, like opposite-sex marriages, reduce the residence period required for naturalization?](#)

Inadmissability Waivers

- [I know that the immigration laws allow discretionary waivers of certain inadmissibility grounds under certain circumstances. For some of those waivers, the person has to be the “spouse” or other family member of a U.S. citizen or of a lawful permanent resident. In cases where the required family relationship depends on whether the individual or the individual’s parents meet the definition of “spouse,” will same-sex marriages count for that purpose?](#)

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I am a U.S. citizen or lawful permanent resident in a same-sex marriage to a foreign national. Can I now sponsor my spouse for a family-based immigrant visa?

Yes, you can file the petition. You may file a Form I-130 (and any applicable accompanying application). Your eligibility to petition for your spouse, and your spouse's admissibility as an immigrant at the immigration visa application or adjustment of status stage, will be determined according to applicable immigration law and will not be denied as a result of the same-sex nature of your marriage.

I am a U.S. citizen who is engaged to be married to a foreign national of the same sex. Can I file a fiancé or fiancée petition for him or her?

Yes. You may file a Form I-129F. As long as all other immigration requirements are met, a same-sex engagement may allow your fiancé to enter the United States for marriage.

My spouse and I were married in a U.S. state that recognizes same-sex marriage, but we live in a state that does not. Can I file an immigrant visa petition for my spouse?

Yes. As a general matter, the law of the place where the marriage was celebrated determines whether the marriage is legally valid for immigration purposes. Just as USCIS applies all relevant laws to determine the validity of an opposite-sex marriage, we will apply all relevant laws to determine the validity of a same-sex marriage.

Do I have to wait until USCIS issues new regulations, guidance or forms to apply for benefits based upon the Supreme Court decision in *Windsor*?

No. You may apply right away for benefits for which you believe you are eligible.

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My Form I-130, or other petition or application, was denied on or after February 23, 2011 solely because of DOMA. What should I do?

USCIS will reopen those petitions or applications that were denied solely because of DOMA section 3. If such a case is known to us or brought to our attention, USCIS will reconsider its prior decision, as well as reopen associated applications to the extent they were also denied as a result of the denial of the Form I-130 (such as concurrently filed Forms I-485).

USCIS will make a concerted effort to identify denials of I-130 petitions that occurred on the basis of DOMA section 3 after February 23, 2011. USCIS will also make a concerted effort to notify you (the petitioner), at your last known address, of the reopening and request updated information in support of your petition. To alert USCIS of an I-130 petition that you believe falls within this category, USCIS recommends that you send an e-mail from an account that can receive replies to USCIS at USCIS-626@uscis.dhs.gov stating that you have a pending petition. USCIS will reply to that message with follow-up questions as necessary to update your petition for processing. (DHS has sought to keep track of DOMA denials that occurred after the President determined not to defend Section 3 of DOMA on February 23, 2011, although to ensure that DHS is aware of your denial, please feel free to alert USCIS if you believe your application falls within this category.)

Once your I-130 petition is reopened, it will be considered anew—without regard to DOMA section 3—based upon the information previously submitted and any new information provided. USCIS will also concurrently reopen associated applications as may be necessary to the extent they also were denied as a result of the denial of the I-130 petition (such as concurrently filed Form I-485 applications).

Additionally, if your work authorization was denied or revoked based upon the denial of the Form I-485, the denial or revocation will be concurrently reconsidered, and a new Employment Authorization Document issued, to the extent necessary. If a decision cannot be rendered immediately on a reopened adjustment of status application, USCIS will either (1) immediately process any pending or denied application for employment authorization or (2) reopen and approve any previously revoked application for employment authorization. If USCIS has already obtained the applicant's biometric information at an Application Support Center (ASC), a new Employment Authorization Document (EAD) will be produced and delivered without any further action by the applicant. In cases where USCIS has not yet obtained the required biometric information, the applicant will be scheduled for an ASC appointment.

If another type of petition or application (other than an I-130 petition or associated application) was denied based solely upon DOMA section 3, please notify USCIS by March 31, 2014, by sending an e-mail to USCIS at USCIS-626@uscis.dhs.gov as directed above. USCIS will promptly consider whether reopening of that petition or application is appropriate under the law and the circumstances presented.

No fee will be required to request USCIS to consider reopening your petition or application pursuant to this procedure.

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[Services for Permanent Residents and Naturalization](#)

My Form I-130, or other petition or application, was denied before February 23, 2011 solely because of DOMA. What should I do?

For denials of I-130 petitions that occurred prior to February 23, 2011, you must notify USCIS by March 31, 2014, in order for USCIS to act on its own to reopen your I-130 petition. Please notify USCIS by sending an e-mail to USCIS at USCIS-626@uscis.dhs.gov and noting that you believe that your petition was denied on the basis of DOMA section 3.

Once your I-130 petition is reopened, it will be considered anew—without regard to DOMA section 3—based upon the information previously submitted and any new information provided. USCIS will also concurrently reopen associated applications as may be necessary to the extent they also were denied as a result of the denial of the I-130 petition (such as concurrently filed Form I-485 applications).

Once your I-130 petition is reopened, it will be considered anew—without regard to DOMA section 3—based upon the information previously submitted and any new information provided. USCIS will also concurrently reopen associated applications as may be necessary to the extent they also were denied as a result of the denial of the I-130 petition (such as concurrently filed Form I-485 applications).

Additionally, if your work authorization was denied or revoked based upon the denial of the Form I-485, the denial or revocation will be concurrently reconsidered, and a new Employment Authorization Document issued, to the extent necessary. If a decision cannot be rendered immediately on a reopened adjustment of status application, USCIS will either (1) immediately process any pending or denied application for employment authorization or (2) reopen and approve any previously revoked application for employment authorization. If USCIS has already obtained the applicant's biometric information at an Application Support Center (ASC), a new Employment Authorization Document (EAD) will be produced and delivered without any further action by the applicant. In cases where USCIS has not yet obtained the required biometric information, the applicant will be scheduled for an ASC appointment.

If another type of petition or application (other than an I-130 petition or associated application) was denied based solely upon DOMA section 3, please notify USCIS by March 31, 2014, by sending an e-mail to USCIS at USCIS-626@uscis.dhs.gov as directed above. USCIS will promptly consider whether reopening of that petition or application is appropriate under the law and the circumstances presented.

No fee will be required to request USCIS to consider reopening your petition or application pursuant to this procedure. In the alternative to this procedure, you may file a new petition or application to the extent provided by law and according to the form instructions including payment of applicable fees as directed.

What about immigration benefits other than for immediate relatives, family-preference immigrants, and fiancés or fiancées? In cases where the immigration laws condition the benefit on the existence of a “marriage” or on one’s status as a “spouse,” will same-sex marriages qualify as marriages for purposes of these benefits?

Yes. Under the U.S. immigration laws, eligibility for a wide range of benefits depends on the meanings of the terms “marriage” or “spouse.” Examples include (but are not limited to) an alien who seeks to qualify as a spouse accompanying or following to join a family-sponsored immigrant, an employment-based immigrant, certain subcategories of nonimmigrants, or an alien who has been granted refugee status or asylum. In all of these cases, a same-sex marriage will be treated exactly the same as an opposite-sex marriage.

If I am seeking admission under a program that requires me to be a “child,” a “son or daughter,” a “parent,” or a “brother or sister” of a U.S. citizen or of a lawful permanent resident alien, could a same-sex marriage affect my eligibility?

There are some situations in which either the individual's own marriage, or that of his or her parents, can affect whether the individual will qualify as a “child,” a “son or daughter,” a “parent,” or a “brother or sister” of a U.S. citizen or of a lawful permanent resident. In these cases, same-sex marriages will be treated exactly the same as opposite-sex marriages.

Can same-sex marriages, like opposite-sex marriages, reduce the residence period required for naturalization?

Yes. As a general matter, naturalization requires five years of residence in the United States following admission as a lawful permanent resident. But, according to the immigration laws, naturalization is available after a required residence period of three years, if during that three year period you have been living in "marital union" with a U.S. citizen "spouse" and your spouse has been a United States citizen. For this purpose, same-sex marriages will be treated exactly the same as opposite-sex marriages.

I know that the immigration laws allow discretionary waivers of certain inadmissibility grounds under certain circumstances. For some of those waivers, the person has to be the "spouse" or other family member of a U.S. citizen or of a lawful permanent resident. In cases where the required family relationship depends on whether the individual or the individual's parents meet the definition of "spouse," will same-sex marriages count for that purpose?

Yes. Whenever the immigration laws condition eligibility for a waiver on the existence of a "marriage" or status as a "spouse," same-sex marriages will be treated exactly the same as opposite-sex marriages.

[Back to](#)[Information about Same-sex Marriage](#)[Services for Permanent Residents and Naturalization](#)

The information contained here is a basic guide to help you become generally familiar with many of our rules and procedures. Immigration law can be complex, and it is impossible to describe every aspect of every process. After using this guide, the conclusion reached, based on your information, may not take certain factors such as arrests, convictions, deportations, removals or inadmissibility into consideration.

For more information about immigration law and regulations, please see our website at www.uscis.gov.

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Other FAQs related to Permanent Residents:**❑ Permanent Residents who work for Foreign Governments or International Organizations in the U.S.**

Waiver of Rights, Privileges, Exemptions and Immunities (Under Section 247(b) of the INA)

Purpose of Form I-508:

This form is used by lawful permanent residents, or nonimmigrants in A, G or E status who are seeking to apply for adjustment of status as permanent residents, who are working for a foreign government mission in the United States. The form primarily advises these immigrants and nonimmigrants (except French nationals who are covered by a special Convention between France and the United States) that they must waive certain diplomatic rights, privileges and immunities and pay U.S. income taxes on their salaries from their foreign governments. Permanent residents in such situations who do not pay their taxes may be adjusted to A, G or E status; nonimmigrants in A, G or E status may be unable to adjust status as permanent residents. If you also require Form I-508F because you are a French national, you may obtain the form by calling 1-800-870-3676.

The INA section 247 requires a Lawful Permanent Resident (LPR) working in a job that could be classified as a A, G, or E to file Form I-508, Waiver of Rights, Privileges, Exemptions, and Immunities. The LPR may have gained the LPR status through marriage, employment or derived that status. But if they are working in an embassy, consulate or international organization in a job that is classified as an A, G, or E, they must file the I-508 and pay US taxes. (This does not mean the person has an A, G, or E visa, but the job is classified as such.)